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ABSTRACT

This document contains the four English-language issues of Indigenous Affairs published in 2000 and four corresponding issues in Spanish. The Spanish issues contain all or some of the articles contained in the English issues plus additional articles on Latin America. These periodicals provide a resource on the history, current conditions, and struggles for self-determination and human rights of indigenous peoples around the world. The four theme issues are concerned with the Pacific (Bolivia, Ecuador, Guatemala, Venezuela, and the Pacific in the Spanish edition); hunters and gatherers; indigenous women; and Indochina. Articles specifically concerned with American Indians in Latin America discuss indigenous land rights in Bolivia; indigenous political activism in Ecuador; community-based Mayan culture and identity, nonformal education and intergenerational transmission of culture, and indigenous rights in Guatemala; indigenous rights in the new Venezuelan constitution; indigenous peoples of the Chaco region, Argentina; and demography and educational needs of indigenous Peruvian women. Other articles examine relationships between indigenous peoples and their respective States; environmental degradation and protection on indigenous lands; the loss of indigenous languages in Africa; efforts to preserve indigenous languages and cultures; Inuit and American Indian whalers and their traditional resource management knowledge; the role of indigenous knowledge in subsistence activities; violence against indigenous women and the struggle for women's rights; and the impact of drought on Masai women and children in Kenya. (SV)

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IWGIA

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Cover: Traditional opening of the 8th NFIP Conference in Tahiti, September 1999

Photos: When not otherwise stated, by Diana Vinding

EDITORIAL

For the past few years IWGIA has focussed on indigenous peoples' issues in the Pacific, and within the framework of its Danida funded South-South Communication Programme, a number of activities have been undertaken. In 1998, a Seminar attended by researchers with experience from various parts of Oceania was organised in Copenhagen, and a special issue of *Indigenous Affairs* (No.1, 1998) was published. During the following months, several networking trips to island states and territories of the Pacific were undertaken. During these trips, information was gathered, old contacts were strengthened and new ones established, one result being that a more formal collaboration with the Pacific Concern Resource Centre (PCRC) in Fiji was initiated.

The Nuclear Free and Independent Pacific movement

PCRC is the secretariat of the major regional NGO network in the Pacific Islands, the Nuclear Free and Independent Pacific movement (NFIP). IWGIA therefore supported PCRC's work in preparing the 8th Nuclear Free and Independent Pacific Conference and convening delegates for this triennial gathering of the NFIP movement. The movement links over 100 non-government and community organisations around the Pacific islands and Pacific rim. These organisations include indigenous peoples organisations, church, women's and environmental groups, independence movements and other community groups from over 30 countries around the region.

The Conference took place in September 1999, in Tahiti, Te Ao Maohi (French Polynesia). IWGIA's chairperson, Georg Henriksen, board member Birgitte Feiring and staff member Diana Vinding joined over 100 international participants, together with representatives of local NGOs, trade unions and political parties from the Maohi people of the islands.

A second joint effort is this thematic edition of *Indigenous Affairs* in which IWGIA and PCRC have gathered together a number of voices from the Pacific, highlighting Pacific concerns about decolonisation, sustainable human development, human rights, environmental issues and demilitarisation.

The eradication of colonialism

A major strand of the NFIP Conference was the struggle of indigenous and colonised peoples in the Pacific. The United Nations' Decade for the Eradication of Colonialism between 1990 and 2000 is nearing its end, yet there are many Pacific peoples still seeking to assert their right to self-determination and political independence. Of the countries remaining on the list of non-self-governing territories with the United Nations Decolonisation Committee, there are still a number of Pacific island territories: Guam, Kanaky (New Caledonia), East Timor, American Samoa, Tokelau and Pitcairn. There are also many Pacific countries that have been removed from the list by their administering powers, or are seeking the right to self-determination: Te Ao Maohi (French Polynesia), West Papua (Irian Jaya), Bougainville, Ka Pae'aina (Hawai'i) and Rapa Nui (Easter Island).

It is therefore most disturbing that the mandate of the Decolonisation Committee is being questioned. There is even a growing view within the UN system that decolonisation is no longer an issue and that the end of the decade should also be the basis of the abolishment of the Decolonisation Committee. In this edition of *Indigenous Affairs* we reproduce Dr. Carlyle Corbin's keynote speech to the NFIP conference 'What future the United Nations' Decolonisation Process?' Dr. Carlyle Corbin draws on 20 years of experience in representing a government of a non-self-governing territory, namely the US Virgin Islands. In his article he describes how and why the United Nations' role in decolonisation has changed over the years, but gives at the same time some valuable recommendations as to how the

Committee could once more become efficient and pro-active.

We also present information on the state of struggles by indigenous and colonised peoples in the Pacific.

Oscar Temaru, a leading figure in the Maohi independence movement in Te Ao Maohi (French Polynesia) describes the options facing his country in the post-nuclear era. After thirty years of French nuclear testing at Moruroa and Fangataufa atolls and more than 150 years of French colonialism, the indigenous Maohi people of the five archipelagos of 'French' Polynesia are trying to rebuild their links to the rest of Polynesia.

In Kanaky (New Caledonia), the future of decolonisation has also changed dramatically with the signing of the Noumea Accord in May 1998. This new agreement between the indigenous Kanak independence movement, anti-independence settlers and the French government sets out a 15-year transition to independence. The election of a new government in May 1999 and new citizenship and voting rights have created a model for a transitional system from colony to new nation in the Pacific. The Kanak movement has entered the new government in New Caledonia, and is debating whether this transition process, based on French law, will achieve its final goal of political independence.

In East Timor, 25 years of continued resistance against Indonesian occupation appear at last to have born fruits, and independence is now within reach. Torben Retbøll, who has followed East Timor and its struggle for independence from the very start, presents a chronological outline of events since January 1999, and tries to explain why things turned out the way they did.

Following the 30 August referendum on East Timor, the future of West Papua, the easternmost area of Indonesia's far-flung empire, has been raised before the international community. For many years, the indigenous peoples of West Papua - known by Indonesians as the province of Irian Jaya - have been concerned about the exploitation of the country's natural resources. The Amungme, Dani and Nengone peoples near the Freeport gold and copper mine in the Grasberg Mountains have long protested against the social and environmental consequences of mining, forestry and transmigration projects. John Otto Ondawame, a representative of the Organisasi Papua Merdeka (OPM) - the Free Papua Movement - presents the renewed hopes of the West Papuan people, most clearly shown with the raising of the Morning Star flag in December 1999.

Other challenges

The challenges for indigenous peoples in independent Pacific island nations are just as significant. Seeking to maintain control of their natural resources has become a major issue. There are already scary examples in the past of how small islands like Nauru and Ocean Island / Banaba were literally devastated and made unfit for living because they were used as cheap sources of fertiliser (phosphate). As Katerina Teaiwa so vividly describes it in her article on Ocean Island: 'The island of Banaba travelled across the seas and fed the hungry settlers on other native lands.' Thus, a total of 20 million tons of that island were carried away and the Banabans forced to resettle on a small Fijian island, Rabi. As Katerina Teaiwa puts it: 'They paid the price of other peoples' development.'

Today, in an era of globalisation, indigenous peoples are up against other destructive forces. As explained by Fata Koroseta To'o structural adjustment and reform programmes imposed by international institutions like the IMF and the World Bank are uprooting activities and relationships from local origins and cultures. Corporate interests from North America, Europe and Asia, seek to tap the natural wealth of the Pacific region.

The vast ocean expanses of the liquid continent hold enormous reserves of seabed minerals and marines resources. Fisheries provide a vital resource for the peoples of the Pacific - for sustainable development through coastal fishing, often conducted by women, and also through the revenues raised when Asian and American fishing fleets come to trawl the tuna resources of the South Pacific. Sandra Tarte, a Fiji Islander who lectures at the University of the South Pacific (USP), details attempts by the peoples of the Pacific to manage and protect their fisheries resources.

Our last article is the presentation given by Ms Corazon Fabros at the NFIP Conference on 'The new arms race in Asia and the Pacific'. Taking the example of the Philippines as a point of departure it points to a number of recent developments that support the assertion that there is a new arms race going on. While Ms Fabros essentially focuses on the role of the US and France, the impact of the ongoing diplomatic competition between China and Taiwan should not be ignored. By using their economic aid to gain support from Pacific Island members of the United Nations they provide the US with a major excuse for its arms build up, and thus also contribute to the brewing Cold War atmosphere.

Most detrimental developments experienced in the Pacific originate in the West. Yet, the international community in general seems unconcerned. As stated by Losena Tubanavau-Salabula of the PCRC in her presentation to the United Nations General Assembly Special Session on Small Island Developing States in September 1999, the spirit of Barbados has evaporated in the donor countries and little has been achieved within the Barbados Programme of Action. The new millennium thus presents many challenges – not only to the indigenous peoples of the Pacific islands. It also challenges the Western world's solidarity and willingness to support the small island states of the Pacific and their struggle for decolonisation, sustainable development and demilitarisation. ❑

WHAT FUTURE THE UNITED NATIONS' DECOLONISATION PROCESS?

By Dr. Carlyle Corbin,
Caribbean Regional Expert

Tahitian church choir waiting for their turn at the opening ceremony of the 8th NFIP Conference, 1999

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*Any discussion of the future of the UN's role in decolonisation should begin with a short review of the legislative mandate of the UN in decolonisation, the role that the UN has played in the past, and the changing dynamics of the UN process in a post Cold War era.**

The genesis of the United Nations' mandate

The genesis of the mandate of the relationship between the United Nations (UN) and the non-self-governing territories is contained in several articles of the UN Charter, particularly Article 1, paragraphs 2 and 55, which give important references to the principle of self-determination of peoples,

> *'...while a further three chapters (Chapters XI, XII and XIII) are devoted to the question of dependent territories, to the establishment of the International Trusteeship System and to the creation of a supervisory body, the Trusteeship Council, which as a principle organ of the UN was entrusted with the responsibility with regard to those territories placed under the International Trusteeship System.'* [1]

Indeed, the adoption of Chapter XI of the Charter, entitled *Declaration Regarding Non-Self-Governing Territories* was a major landmark in bringing the administration of non-self-governing territories within the purview of the international community.

Specifically, Article 73 of the UN Charter committed the international community to the recognition that the interests of the inhabitants of those territories are paramount. The UN also accepted *'as a sacred trust the obligation to promote to the utmost... the well being of the inhabitants.'* To that end, they accepted a series of commitments, specified in the Article, including the political, economic, social and educational advancement of the peoples of those territories, the development of self-government and the regular transmission to the Secretary-General for information purposes.[2]

The 'sacred trust' created in the Charter in relation to non-self-governing territories is similar to that of Chapter XII which created the International Trusteeship System which had the identical aims, according to Article 76 of the Charter, of *'promot(ing) the political, economic and educational advancement of the inhabitants,'* but went further to refer to the promotion of

> *'progressive development toward self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of the trusteeship agreement.'*

Subsequent resolutions of the General Assembly specifying the UN's mandate to similarly promote *'self-determination and/or including independence'* brought the intentions of Chapters XI and XII closer in their aims.

These expressions were formalized by the enumeration in 1946 of some 72 territories scattered throughout the world under the eight administering powers of Australia, Belgium, Denmark, France, The Netherlands, New Zealand, United Kingdom and the United States through the adoption of UN General Assembly Resolution 66 (1) of 1946 . This marked the beginning of a plethora of resolutions on decolonisation - often repetitive by necessity since the mechanisms for implementation to this day have never really been devised, especially for the small island territories.

Since the inscription of territories on the original list, the UN's role in decolonisation can be divided into three periods: 1) the period between 1946 and 1960, 2) the period following the adoption of the 1960 Decolonisation Declaration, and 3) the post Cold War period and implications for the UN decolonisation process.

The pre-Decolonisation Declaration period - 1946-1960

This first period consisted of 14 years between the original inscription of non-self-governing territories and the adoption of the 1960 Decolonisation Declaration. These intervening years were marked by progress in defining the operational parameters for the UN's role in decolonisation, but also by a reluctance on the part of most administering powers to adhere to the decisions taken by the General Assembly. It was noted by the UN Secretariat in 1990 that:

> *'In spite of th[e] provision[s of the UN Charter] the progress of Non-Self-Governing Territories [toward self-determination and] independence in the period prior to the adoption of the [Decolonisation] Declaration was...slow...and during the early years of the UN, many of its efforts were directed at establishing its role as the principle guardian of colonial peoples. Only in the 1950s did the principle become established, though against the opposition of the administering Powers, that it was for the United Nations to decide ultimately whether a given Territory was or was not self-governing within the meaning of Chapter XI of the Charter.'* [3]

In an attempt to address the issue of implementation of its resolutions, the General Assembly in 1949 adopted Resolution 334 (IV), which expressed its competence to determine whether or not a territory was considered non-self-governing according to Chapter XI of the UN Charter. This was followed by the adoption in 1953 of Resolution 742 (VIII) entitled *'Factors that should be taken into account in deciding whether a territory is or is not a territory whose people have not yet attained a full measure of self-government'* (the reference to *'full measure'* will become important in later interpretations of dependency models).

Resolution 742 was perhaps the most important resolution to that point as it approved a list of factors indicative of the attainment of independence or other separate models of self-government, and established basic standards relative to the self-determination process. Important elements of the resolution included:

'.....

Running towards independence. Traditional race on Moorea 1998

Bus shelter in Kanaky, 1998

3. *Recommend[ing] that the...list of factors should be used by the General Assembly and the Administering Members as a guide in determining whether any territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, in order that...a decision may be taken by the General Assembly on the continuation or cessation of the transmission of information required by Chapter XI of the Charter...*
5. *Consider[ing] that the validity of any form of association between a non-self-governing territory and a metropolitan or any other country essentially depends on the freely expressed will of the people at the time of the taking of the decision.*
6. *Consider[ing]...that the manner in which territories referred to in Chapter XI of the Charter can become fully self-governing is primarily through the attainment of independence, although it is recognized that self-government can also be achieved by association with another state or group of states* ***if this is done freely and on the basis of absolute equality****.'* (emphasis added)

This recognition by the General Assembly of political 'association' as a legitimate option was an important prerequisite to the evolution of the 'free association' concept in Resolution 1541 of 1960, which is the counterpart to the 1960 Decolonisation Declaration (Resolution 1514). Even in these early years, the legitimacy of such an 'association' was to be determined by its adherence to political equality and mutual consent.

In recognition of these decisions by the General Assembly, and the metropolitan response and reaction to such decisions, the period of 1946 through 1959 resulted in significant developments. Eight non-self-governing territories became independent during this time frame.[4]

Meanwhile, transmission of information on an additional 21 non-self-governing territories was discontinued pursuant to General Assembly resolutions in cases such as Puerto Rico, Greenland, the Netherlands Antilles and Suriname, Alaska and Hawaii; or by unilateral action in other cases such as the French territories in the Pacific and the French departments in the Caribbean and Indian Ocean, without the consent of the General Assembly. (Additional unilateral action was taken in respect of the removal of *Malta* from the UN list by the United Kingdom (although it was re-inscribed in 1959) and in the case of the United States which ceased to report on the Panama Canal Zone).

While no territories were added in this period before the establishment of the Decolonisation Committee in 1961, additional territories were inscribed following the creation of the committee. (The General Assembly approved Resolution 1542 of 1960, for example, which listed the Portuguese territories of Cape Verde, Guinea [Portuguese Guinea], Sao Tome and Principe, Sao Joa Batista de Ajuda, Angola (including Cabinda), Mozambique, Goa and dependencies, Macao, and East Timor.)

The new inscriptions were preceded by heightened political discussions among developing countries on a number of fronts, and in particular, on the issue of political self-determination. Of special note was the Badung Conference in 1955, which included in its final communiqué strong support for the self-determination process. This was followed by the 1958 First Conference of Independent African States held in Ghana which declared that a *'definite date should be set'* for the process of decolonisation to be completed in each non-self-governing territory *'in accordance with the will of the people of the territories*

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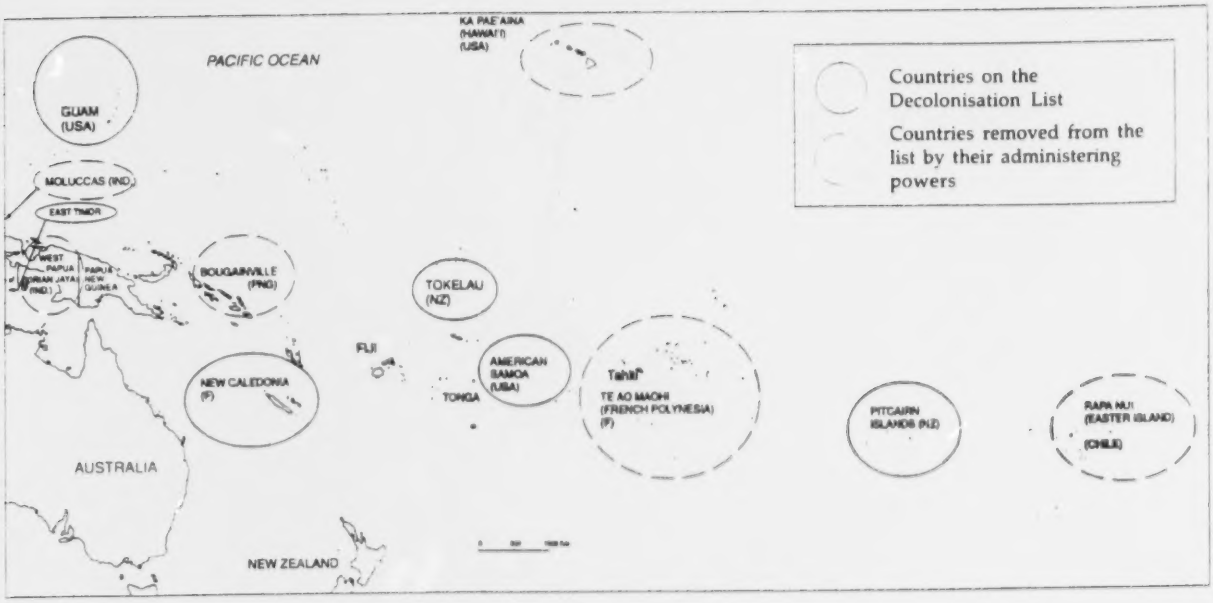

and the provisions of the Charter of the United Nations.' The Second Conference of Independent African States, meeting in Ethiopia in 1960, reaffirmed the declarations and resolutions of the Badung and Ghana conferences, and coincided with the year of the independence of some 16 African states.

The Decolonisation Declaration and parameters for self-determination

The second period to which I refer - following the adoption of the Decolonisation Declaration - was marked by the independence of these 16 African states in 1960 that created a new momentum within the UN system in the promotion of self-determination. This found expression in the Fourth Committee of the General Assembly that year which considered a Report of the Secretary-General on the progress of self-determination [5] in accordance with Chapter XI of the Charter, and concluded that progress had fallen short of the needs of the people of the territories.[6]

Thus, two major decisions were taken by the General Assembly. The first was the adoption of Resolution 1514 (XV), which declared, *inter alia*, that

'all peoples have a right to self-determination (and) by virtue of that right they (should) freely determine their political status and freely pursue their economic, social and cultural development.'

A most important provision of Resolution 1514 (XV) - one which seems to be ignored in most instances, and appears inconsistent with unilateral application of administering power laws to most territories - is that

'...immediate steps shall be taken ...to transfer all powers to the peoples of those territories without any conditions or reservations, in accordance with their freely expressed will and desire.'

The other major decision in 1960 was the approval by the General Assembly of Resolution 1541 (XV) which established and defined the options of *independence, free association and integration* as the three political status choices which were deemed legitimate under international principles and consistent with the relevant provisions of the Charter.

Following on the approval of these two landmark resolutions, the General Assembly in 1961 adopted Resolution 1654 (XVI) establishing the Special Committee on Decolonisation (which began its work in 1962) to establish a mechanism to, *inter alia*, examine the application and the implementation of the Decolonisation Declaration. By 1963, a preliminary list of territories was released which included some 64 territories - reduced from the original 72 territories listed in 1946. Accordingly, between 1962 and 1984, some 25 African non-self-governing territories, four Asian, 13 Caribbean, one European and eight Pacific territories achieved independence. Additionally, some ten territories either became integrated or associated during roughly the same period.

By 1990, only 18 remained, the majority of which were small island territories in the Caribbean and the Pacific, under differing constitutional arrangements, none of which met - nor do they presently meet - the requirements of full self-government as defined by Resolution 1541 (XV). They were perceived generally as not being interested - nor being prepared if they *were* interested - in independence. This rationale began to be

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used in recent years in an attempt to justify the present non-self-governing arrangements as somehow acceptable because there was no perceived popular expression of the people for independence. Attempts to rationalize this thinking accelerated following the independence of Namibia when it became clear that most of the remaining territories were small island developing countries with presumably limited resources and capacity for statehood.[7]

This leads us to the third period

The post Cold War period and decolonisation disengagement

The fact that Namibia was the last African territory (excluding South Africa) to attain full self-government - in this case, independence in 1990 - was a significant factor in policy assessment on the part of UN member states. This process of review was seen within the context that the end of the Cold War had signalled an end to ideological rivalries - and the unfortunate tendency had been, all too often, to link decolonisation and self-determination with ideological East-West considerations, rather than to assess the circumstances in these territories from a non-ideological perspective, e.g. viewing these constitutionally developing territories within the same context as other developing countries that emerged from a successful UN decolonisation process.[8]

The idea of self-determination for the remaining small island territories was seen, therefore, with less urgency than in the past, since ideological rivalries had abated, and a prevailing view was that the people of the territories had expressed no interest in independence - an assumption which was somehow translated to mean that they were satisfied with the status quo, and that, anyway, these territories were too small to be sustainable sovereign states.

Hence, the debate on political alternatives for these small island territories shifted from independence, which had been a preferred choice by many African, Caribbean and Pacific states, to the options of free association or integration as defined in Resolution 1541. This was an acceptable posture on the surface, given the fact that successful association and integration models existed in both the Caribbean and the Pacific where most of the small island territories remained. In the Caribbean, the Netherlands Antilles (including Aruba) achieved association in 1951 as one of the three countries within the Kingdom of the Netherlands, while Aruba in 1986 achieved its own status apart. In the Pacific, the Cook Islands in 1965 and Niue in 1974 achieved free association arrangements with New Zealand, and most recently, the Federated States of Micronesia, Marshall Islands and Palau in free association with the U.S. In some instances, however, other political associations were created which did not necessarily conform to the required level of autonomy under Resolution 1541.

In the Caribbean, with the collapse of the West Indies Federation in 1962, an associated state arrangement was created for five small island territories (of Antigua, Dominica, St. Kits-Nevis-Anguilla, St. Lucia and St. Vincent,) with similar features to that of the New Zealand model, **but without sufficient autonomy to meet the requirements of free association in Resolution 1541**, according to many scholars. This was due to the power of the British Government to determine unilaterally matters related to defence and external affairs, thus giving the metropolitan power *'unlimited freedom of action to legislate for the Associated States in a variety of circumstances'*.[9]

The realities of power under this arrangement made it clear that such an association could not be consistent with the principle of mutual consent. In a 1976 study on the legal problems of Caribbean integration, this point was further illustrated in noting that:

> *'It was clear that there was no final abandonment of power by the United Kingdom; the basic competence from which derive the competencies granted to the Associated States remains in the hands of Great Britain and (she) could at any time, withdraw the delegation of power...'*[10]

According to the same study,

> *'[T]he United Kingdom [could even within the scope of these delegated powers] prevent the Associated States from actually exercising these powers if it appeared there was any conflict between the actions or proposals of the Associated States and the international commitments, responsibilities or policy of the British Government...[the Associated States] will accept the decision of Her Majesty's Government in such matters.'*

Accordingly, the General Assembly in Resolution 2357 rejected the British argument that the West Indies Associated States constituted true free association within the letter and spirit of Resolution 1541. As noted in a 1979 article on the issue in the *Virginia Journal of International Law*, the arrangements regarding the separation of powers and authority between the United Kingdom and the West Indies Associated States were more than sufficient to conclude that the status was not acceptable as a form of true free association.[11]

Another example of the creation of an even less autonomous association than that of the West Indies Associated States was that of Puerto Rico which was originally conceived as a self-governing model of free association as a result of constitutional changes in 1952 initially sufficient to convince the General Assembly to approve Resolution 748 of 1953 removing the territory from the UN list. Since the de-inscription of Puerto Rico took place some seven years prior to the definition of free association approved by the Assembly in 1960, it is argued that Puerto Rico should be re-inscribed since the territory did not have true autonomy. Attempts to initiate this re-inscription, however, have been met with repeated defeat over the years, based on political rather than legal considerations. But as recently as 1996, even the U.S. Congress in legislation calling for a status referendum for Puerto Rico in 1998 formally recognized the relevance of the International Decade for the Eradication of Colonialism to Puerto Rico in its findings, and listed the options for the proposed Puerto Rico referendum as identical to those in Resolution 1541 (XV). In the process, it declared

the present commonwealth status as non-self-governing, but did not advocate the re-listing of Puerto Rico.

Evolution of decolonisation resolutions

This ongoing re-evaluation process by member states of the UN of the UN's role in the self-determination process has resulted in the scaling back of longstanding commitments contained in previous General Assembly resolutions. Recommendations for *'a timetable for the free exercise by the people of the territories of their right to self-determination,'* for example, were replaced with more generalised recommendations.

One of the key administrative decisions with respect to resolutions on decolonisation as a result of the post Cold War review was to consolidate the individual resolutions on the small island territories into one omnibus resolution. This new procedure came as a result of intense discussions in an open-ended working group created in 1990 to review the role and functioning of the Special Committee, streamlining and consolidating resolutions and other documents, and reviewing the method of work of the committee, its agenda and list of territories. Accordingly, this 'review' precipitated the elimination beginning in 1995 of language, which had previously

> *'reiterat(ed) that it was the responsibility of the administering power to create such conditions in the territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence.'*

This omission raised the question as to whether this was no longer a responsibility of the administering powers concerned.

A shift in approach to decolonisation

The year 1995 marked a fundamental change in the approach of the Special Committee in undertaking its mandate. This change was evident in diplomatic manoeuvring beginning in 1990, paradoxically the same year that the General Assembly commemorated the Thirtieth Anniversary of the Decolonisation Declaration. Notwithstanding the specific elements called for in the plan of action of the International Decade for the Eradication of Colonialism, the Special Committee came under heavy political and budgetary assault. This was due to budgetary constraints within the UN system in general, and a growing view that decolonisation was no longer an issue worthy of intense consideration - after all, we were only a bunch of small islands scattered around the Pacific Ocean and the Caribbean Sea. Thus, the period 1990 through 1995 found disturbing trends emerging.

One such trend was the consolidation of individual resolutions into one omnibus resolution that almost caused the total deletion of any reference to specific conditions in individual territories in favour of a general set of principles applicable to all territories. This was successfully defeated by some Decolonisation Committee members, and by statements of one territorial government whose representative addressed the Committee on this issue.

A second disturbing trend during 1990 - 1995 was the tendency to ignore implementation of decolonisation resolutions. It was pointed out that it is one thing to have excellent language in a resolution, and it is quite another to actually have some of that language acted upon in conformity with the resolution, and that many of the prescriptions for a successful self-determination process already exist in resolutions of the Assembly and the various plans of action approved over the years (but have gone un-implemented).[12]

It is important to note that implementing language has always been left out of decolonisation resolutions, unlike resolutions in other areas, leading to an absence of follow-up. A case in point is the provision contained in resolutions adopted since 1991 which

> *'request(s) the Special Committee...to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those territories to exercise their right to self-determination and independence and to report thereon to the Assembly...at its next session.'*

UN records show no reports ever made on such 'suitable steps'.

Additionally, provisions on assistance [13] to territories in political education, dissemination of information on decolonisation to the territories, and educational assistance have all been left un-implemented - and few member states of the Committee question the fact that the recommendations that had been routinely adopted have been essentially ignored. In general terms, it is clear that the level of discussion on decolonisation within the UN system have been effectively downgraded, and longstanding language in resolutions has been systematically removed - as if certain provisions which applied to the territories since 1946 were no longer applicable.

In short, the lack of implementation of these approved prescriptions serves to impede the process, and creates certain vulnerabilities. A statement of one Caribbean representative to the 1998 seminar of this Committee held in Nadi, Fiji, observed that:

> *'... it is clear that we are no longer experiencing a decolonisation process, but rather a decolonisation crisis. And the challenge is whether we can avert the disaster, which awaits us, while threats of abolishing the committee and unilateral removal of territories from the UN list swirl around us.*
>
> *A proactive approach is the only way forward, rather than the defensive posture that the Committee has taken in recent years in its over-emphasis on achieving consensus even when that consensus does not accurately reflect the reality. Accordingly, a revised plan of action for self-determination should be initiated, since the present one was never allowed to begin. But the revised plan must be reflective of the people of the territories themselves.'*[14]

Recommendations of the people

At this juncture, a number of these recommendations of the various UN seminars from 1990 through 1999 are worthy of mention, firstly, as their detail and specificity have replaced the more generalized and weaker resolutions of the General Assembly of recent years, and secondly, because they represent, by and large, the views of the peoples of the territories themselves. A few examples include:

- The importance of a fair and unbiased political education for the peoples in the territories concerned, and the intensification of the dissemination of information on decolonisation (from the UN) with a view to raising the awareness of the peoples about their political rights and options available to them in determining their future status.
- The importance of direct and closer participation of the territories in the work of the UN as an effective means of promoting the progress of the peoples of those territories.
- The creation of more opportunities for the populations of the territories to speak for themselves and to make their views on the issues at stake by inviting them to address the Special Committee.
- The fostering of greater awareness of the self-determination process in the territories and of worldwide information programmes to enhance the political education of the inhabitants of the remaining territories.
- The transfer of all powers to the peoples of the respective territories without any conditions or reservations until the peoples concerned had the opportunity to exercise freely their rights in accordance with the (Decolonisation) Declaration.
- Greater membership and participation of TERRITORIES in sub regional, regional and international organizations....'
- Observer status for the territories in the Economic and Social Council (ECOSOC) and the General Assembly.
- The protection of rights of indigenous people in non-self-governing territories to self-determination.
- The emphasis that proposals for new models in decolonisation should comply with the principles contained in General Assembly Resolution 1541 (XV).
- The establishment of an expert group comprised of representatives of the peoples of the territories to represent the interests and articulate the needs of their territories and, to that end, to advise the (Special) Committee and the Secretary-General on mechanisms for a successful completion to the decolonisation process.
- The importance of the completion of a Report of the Secretary-General on the implementation of UN resolutions on decolonisation.
- The continuation of the Special Committee on Decolonisation after the year 2000, in order to provide international oversight for those remaining territories.
- The recognition of the right of the peoples of the territories to complete jurisdiction over the disposition of the land and ocean-based resources.
- The need for an extensive study to be undertaken on the economic, social, and constitutional conditions in each of the remaining territories.

These recommendations of the regional seminars form quite a comprehensive policy statement with respect to the successful completion of the decolonisation process. The fact that they emanate primarily from the peoples of the territories themselves is especially critical.

In the 1998 seminar in Fiji, [15] participants acknowledged that:

1. *Implementation of the (Decolonisation) Declaration contained in Resolution 1514 (XV) is not yet complete as long as there remains non-self-governing territories that still have to exercise their right to self-determination;*
2. *In the process of decolonisation, there is no alternative to the principle of self-determination, which is also a fundamental human right, in accordance with the Charter of the United Nations, and as enunciated in General Assembly resolutions;*

[...]

7. *All available options for self-determination are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) and 1541 (XV); the issue of devolution of power to the elected governments of the territories is a key element in the transition from dependency to full self-government;*
8. *The views of the peoples of the non-self-governing territories should be ascertained through legitimate acts of self-determination under the supervision of the UN;*

[...]

11. *A report on the implementation of decolonisation resolutions since the approval of the International decade for the Eradication of Colonialism should be prepared by the UN;*
12. *The decolonisation period is not over but rather requires unique remedies in protecting the inalienable rights of the people of the non-self-governing territories and, in particular, those small island territories which require special consideration as a result of the vulnerabilities that they share with other small island developing countries in their regions;*
13. *While the international community must remain flexible in its approach to assisting the non-self-governing territories in their constitutional advancement, any dependency models which have not achieved a full measure of self-government based on the principles of equality, in conformity with the acceptable choices contained in General Assembly resolution 1541 (XV) should not be considered fully self-governing in order to avoid legitimising the current non-self-governing arrangements;*
14. *The UN, in cooperation with regional organizations, should facilitate completion of the several studies and analyses called for in the plan of action of the International decade for the Eradication of Colonialism, but not yet undertaken, in particular the review of the impact of the economic and social situation on the constitutional advancement of the non-self-governing territories, periodic analyses of the progress and extent of the*

implementation of the (Decolonisation) Declaration in each territory, and other relevant studies on the economic, social and political development in these territories;

[...]

30. *As long as there are territories that are not independent, freely associated or an integral part of another state by their own choice, the inalienable right of the peoples of these territories must be guaranteed by an independent broker. The UN and its Special Committee must continue to function in this capacity until the status of all non-self-governing territories dictates that this chapter of the history of the world be closed once and for all.*

Recent developments

The most recent seminar held in the Caribbean island state of St. Lucia last May (1999) re-enforced many of the recommendations called for in earlier seminars. But the most important aspect of this year's deliberations was the re-affirmation that full political equality was a critical prerequisite to the attainment of true internal self-government. This was a theme that was echoed by a number of the UN member states present, along with representatives from seven of the listed territories. The Foreign Minister of the host country, for example, emphasised that:

'The principle of political equality should and must remain, universal (and) the fact that most of the current non-self-governing territories are small islands in the Caribbean and Pacific does not mean that the same principles of political equality do not apply to them.'

The minister went on to note that:

'While the international community must remain flexible in its approach to assisting these territories as they progress, we must ensure that their political status options remain in conformity with the legitimate choices of equality identified in Resolution 1541 so as not to legitimise, for expediency, present un-equal colonial arrangements which do not provide a full measure of self-government.'

Concerns were repeatedly expressed by seminar participants that attempts were being made within the Decolonisation Committee to re-define the present dependency arrangements as self-governing, even though the fact remains that unilateral authority of the administering power to legislate for the territories and in many instances to overrule laws and decisions of the territories remains.

It was noted with concern in this year's seminar that the important research called for in the plan of action of the International Decade for the Eradication of Colonialism (IDEC) had never been carried out due to a lack of funding, and perhaps a lack of will on the part of member states of the Committee. It was regarded as extraordinary that since the 1991 approval of the plan of action, no funds had ever been requested by the Committee to implement these critical elements of the plan, despite repeated calls for the research to be carried out. It was noted that there was little wonder that the UN member states were somewhat confused regarding the nature of the individual political arrangements between the metropolitan countries and the territories which they administer, and some wondered whether this was a deliberate way of keeping the reality of the dependent arrangements away from the UN member states who would then be more inclined to concur with the fallacy that these territories had gained, perhaps magically, a full measure of self government - a fallacy that was clearly corrected by the scholarly presentations of representatives from Caribbean and Pacific territories present at the seminar.

As a result of the momentum created by the successful St. Lucia Seminar, the Special Committee took the extraordinary step of approving the recommendations and sending them to the General Assembly for consideration. Heretofore, these recommendations were only acknowledged by the Special Committee but not sent on for wider consideration - a major victory for the self-determination effort.

The resolution approved by the Special Committee in June of this year also included a number of key provisions including the importance of the preservation of cultural identity, and noted with concern that the plan of action of the IDEC cannot be concluded by the year 2000. The session heard presentations from the elected heads of government of Guam (whose governor called for an International Court of Justice ruling on decolonisation) and Puerto Rico (whose governor called for the re-inscription of that territory on the UN list). The Minister for External Affairs of the U.S. Virgin Islands in his statement to the Committee repeated earlier calls for the implementation of the plan of action.

A proposal by the representatives of Chile to establish a conceptual framework for the review of the constitutional and juridical status of the territories was also put forth for consideration during the Special Committee debate. The document had several disturbing provisions including the view that options that did not provide for full political equality could be considered acceptable by the international community. This was countered by a scholarly paper in response to the assertions in the Chile paper by the delegation of St. Lucia who outlined the legislative basis dating back to 1953 for the principle of *'absolute equality'* to remain paramount.

In reply to the contention in the Chile paper that *'it was totally unnecessary in certain circumstances to consult the inhabitants of a given territory on their self-determination process'*, the St. Lucia ambassador made it clear that such special circumstances should not, and indeed, do not apply to the small island territories (in the Caribbean and Pacific) *'since democratic structures and administrative systems are the norm and are routinely utilised in conducting popular consultations'*.

Regarding the reference in the Chile paper that a referendum is only one of the options that would provide for political equality, the St. Lucia ambassador in his paper questioned whether there was another appropriate way to ascertain the views of a people other than a democratic electoral process. He expressed caution over the suggestion in the Chile paper that a possible method to address the decolonisation issue in the territories might be the negotiation of an agreement between the main organs of a given territory and the administering power.

The St. Lucia ambassador responded that such consultations do not constitute an act of self-determination by the people who have continually expressed their wish to be consulted formally on their political future.

The St. Lucia ambassador expressed further concern for provisions in the conceptual paper that seemed to advocate a process where the administering powers and the Special Committee would decide on the status of the territories that remain on the agenda, and noted that the missing element in this equation was the people of the territories whose future should not be left to negotiation between the Special Committee and the administering powers.

The St. Lucia paper served as an important reply to what many are considering to be the first attempt to end the UN decolonisation process without ending decolonisation - in this case through negotiations between elements of the Special Committee and the administering power. This must be watched carefully, since there are definitely member states within the Committee who wish to end the UN's role in the decolonisation process through such subterfuge.

Thus, while the conceptual paper by Chile was prevented from being adopted as Special Committee policy by the timely response of St. Lucia, the bureau of the Special Committee has gone on to adopt in informal meetings (excluding the territories' participation) a set of *'Guidelines on Consultations on Questions of Decolonisation'* which call for each non-self-governing territory to be considered on a case-by-case basis and that a corresponding programme of work is to be developed for each territory with possible goals, activities and dates, and may include visiting missions with the programme being endorsed, by necessity, by the government of the territory. An important omission to these guidelines is any reference to the requirements of political equality. Another omission is the need for the required studies contained in the plan of action to be implemented in order to provide the necessary information for UN member states to analyse the individual territories on this so called 'case-by-case basis'.

In theory, such guidelines may seem admirable, but without the requisite political education among the territorial leadership regarding the parameters of decolonisation, political equality and the like, these leaders could easily be convinced to agree with a process anathema to the interest of the people they represent. This has to be watched carefully, as well.

The continued mandate of the Special Committee

In view of these developments, and the continued, and often disturbing, transformation of the Special Committee, the fact is that the remaining non-self-governing territories have not achieved a full measure of self-government pursuant to the Charter and the relevant resolutions of the General Assembly. It is therefore obvious that the mandate for the creation of the Special Committee on Decolonisation remains intact, but their capacity to carry out that mandate is in question.

Expressions have been made - mostly from the Committee detractors - that the end of the International Decade for the Eradication of Colonialism (IDEC) should mean the end of the Special Committee. Resolution 43/47 of 22 November 1988 declaring the IDEC, however, did not refer to the end of the work of the Special Committee, but some have inferred that the end of the decade should be the basis of the abolishment of the Committee. In this case, as even the most basic of goals of the plan of action of the IDEC have not been accomplished - with the notable exception of conducting the regional seminars on decolonisation; the necessary conditions of self-government simply do not exist to warrant the closure of the Committee and the de-listing of territories - which is the aim of some governments. Instead, as indicated earlier, a second decade should be established by the General Assembly to focus attention on options of equality for the small island territories, and this time, the necessary resources should be made available for it to be successful.

However, if the Committee is to be the mechanism within the UN to address the decolonisation process into the next millennium, it must review its own operations to become more efficient, and more responsive, not just to the administering powers, but to the people of the territories. This can be done in large measure by insisting on the requirements of implementation of its own recommendations. The Committee must take a proactive approach to counter the disinformation campaign that has been successfully waged questioning the continued relevance of the decolonisation agenda item, and promoting the false assertion that the decolonisation process is complete. It is interesting to note that the people of the territories themselves are often influenced by this disinformation campaign, and this can be seen in the notable absence of representatives of many of the territories in international deliberations on their own political development.

These political realities being as they are, I would offer several recommendations designed to deflect the reactionary criticism, and end the increasing isolation of the decolonisation issue with the present emphasis restricted to only one UN committee which is under constant political and budgetary attack. My approach would be through decentralising the discussion throughout as many UN and other international bodies as is possible. Accordingly:

1. In addition to discussions in the Special Committee and the Fourth Committee where the debate on the small island territories has been reduced to merely one or two days, the issue of decolonisation should also be addressed in the Third Committee of the General Assembly under its agenda item of 'The Right to Self-Determination,' and on the agenda of the relevant regional organisations such as the South Pacific Forum and the Caribbean Community. Additionally, a joint meeting of both regional groups on the future self-determination of territories in the two regions should be conducted. This can be achieved with influence from the NGO sector.
2. The issue should also be added to the agenda of the relevant UN bodies, which address human rights issues, consistent with the recognition by the UN Secretary-General of the right to self-determination as a human rights issue.
3. More attention should now be placed on how the wider UN system can assist the territories in their socio-economic development process, and the inclusion of the elected govern-

ments of these territories and non-governmental organisations within these territories should be facilitated. This activity would be consistent with addressing the recommendations of some administering powers that the UN focus more on economic development issues within the territories, and is also consistent with many territories who wish to be more economically prepared before their political evolution.

In this connection, renewed attention should be given to the role of the specialized agencies, technical organs, regional economic commissions, and other bodies of the UN, as well as regional organizations, in implementation of their respective mandates to assist the territories in their socio-economic and constitutional development process.

4. Further, the Special Committee should be encouraged to identify resources to carry out the relevant political and economic studies and analyses contained in the Plan of Action (of the International Decade for the Eradication of Colonialism), in conjunction with the regional organisations and expert, as a matter of urgency. This relevant research is essential to determining the future course of decolonisation in the small island territories.
5. New UN initiatives in governance should include a component that addresses the governance issues of the non-self governing territories.

Conclusion

To conclude, while the basis for the extension of the mandate of the Decolonisation Committee is clear, its survival may be determined in large measure by its willingness to adapt through some measure of decentralising which would relieve some of the pressure it is currently under that has precluded it over the present decade from successfully carrying out that mandate.

The Committee needs to engage the wider UN system in the implementation of the UN-wide mandate on assistance to the territories, needs to find ways to integrate the views of the territories in its work, and must develop a way of implementing its own longstanding recommendations on decolonisation.

The remaining small island non-self-governing territories are at a critical stage in the history of their development, and a strong UN oversight of the process of the unique self-determination needs remains especially important. We must all remain vigilant, as new initiatives to eliminate the international oversight of the decolonisation process will most certainly come.

I therefore urge that the Pacific Concerns Resources Centre with its newly gained observer status in ECOSOC, and other regional bodies maintain a watchful eye on developments in decolonisation at the UN. The future of this process is in our hands.

Notes

* This article is the reproduction of a paper delivered at the 8th Nuclear Free and Independent Pacific Conference, September 1999. The views expressed in it are those of the author and do not necessarily represent the position of any government, organisation or tertiary institution with wich the author is associated.

1 *Thirty Years of the Declaration on the Granting of Independence to Colonial Countries and Peoples.* United Nations' Department of Special Political Questions, Regional Cooperation, Decolonisation and Trusteeship. Publication no. 39, April 1990.

2 With respect to this transmittal of information, the UN General Assembly approved Resolution 142 (II) in 1947 creating the 'Standard form for the guidance of members in the preparation of information to be transmitted under article 73 (e) of the Charter' which calls for data on the geography, history, people, government, human rights and information on social conditions including problems of race and cultural relations, labour and employment conditions, migration, public health and sanitation, housing, crime, social welfare, penal administration and development programs. The 'standard form' also requested detailed information on educational conditions including the nature and extent of educational facilities, higher education opportunities, vocational training and apprenticeship, development of cultural institutions and data on economic conditions including natural resources, agriculture, industry, infrastructure, living standards, communications and transport, public finance, banking and credit, and international trade. Given the dearth of updated and reliable information on these areas with respect to these territories, it is obvious that this "standard form' was abandoned long ago.

3 See Reference 1

4 Cambodia and Laos (1953) which had been listed in 1946 as French Indo-China, Ghana (1957), Guinea (1958) which had been listed as French West Africa, Indonesia (1949) which had been listed as Netherlands Indies, the Federation of Malaya (1957), Morocco (1956) and Tunisia(1956).

5 See *Progress of the Non-Self-Governing Territories under the Charter.* United Nations' Publications, Sales No. 60.VI.B.1; vols. 1-5.

6 See UN General Assembly Resolution 1535 (XV) of 1960.

7 See Abdullah, Frank: 1989 - *UNESCO Manual of Public International Law,* Part IV: Human Rights and Rights of Peoples, Title II: Rights Protected by the International Community, Chapter 51: The Right to Decolonisation.

8 The following territories remain on the UN Decolonisation list: In the Pacific: East Timor, New Caledonia, Guam, American Samoa, Tokelau and Pitcairn. In Africa: Western Sahara. In the Caribbean: Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, St. Kitts-Nevis, Turks and Caicos Islands, US Virgin Islands. In Europe: Gibraltar. In Latin America: Falkland Islands (Malvinas).

9 See Reference 1

10 Geisner, Hans J., Alleyne, Pamela and Gajraj, Carroll: 1976 - *Legal Problems of Caribbean Integration: a Study of the Legal Aspects of CARICOM.* Institute of International Relations, University of the West Indies, St. Augustine, Trinidad and Tobago.

11 Gilmore, William C. : 1979 - Legal Perspectives on Associated Statehood in the Eastern Caribbean. In *Virginia Journal of International Law,* Vol. 19:3.

12 Statement of the Government of the U.S. Virgin Islands to the Special Committee on Decolonisation, 4 June 1991.

13 See "Offers by Member States of Study and Training Facilities for Inhabitants of Non-self-Governing Territories". Report of the Secretary-General to the Fiftieth Session of the General Assembly. UN Document a/50.481, 27 September 1995.

14 *A Plan of Action for the Self-Determination of the Remaining Non-Self-Governing Territories.* Paper delivered to the Pacific regional Seminar of the United Nations Sepcial Committee on Decolonisation. Nadi, Fiji 1998

15 Pacific Regional Seminar to review the situation in the Non-Self-Governing Territories, particularly their political evolution towards self-government by the year 2000. Held at Nadi, Fiji from 16 to 18 June 1998. UN Document No. A/AC.109/2121, 18 June 1998.

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INDEPENDENCE AND SOVEREIGNTY FOR TE AO MAOHI (FRENCH POLYNESIA)

The author. Photo: PCRC

by Oscar Temaru
President of Tavini Huiraatira no Te Ao Maohi

We call our country Te Ao Maohi, though the official name 'French Polynesia' explains the colonial history of our *fenua*, our land. The Maohi people are trying to ensure that France recognises the reality of its colonial policy since their arrival in our land. France must also take responsibility for the consequences of thirty years of nuclear testing on the environment, on people's health and on the social and economic well being of our country. For this reason, France's political, moral and financial responsibility towards this country will remain for many years.

The major challenge for our country is to create an economy less reliant on overseas nations, and based more on the development of its own resources. We need to assure the maximum of self-sufficiency and a reliance only on those imported items that are really necessary for our essential needs. *Tavini Huiraatira*'s objective is that economic development must be sustainable, and must benefit the local population above all. Such development must respect the environment and must share the benefits of development in an equitable manner, while the financial costs are shared between all social groups.

Finally, and this is especially true today, the Maohi people's struggle for self-determination, independence and sovereignty is continuing and must intensify.

Challenging the future

It is only intimidation from the pro-colonial conservative forces and a fear for the future that has hindered the Maohi people from more clearly and spontaneously declaring itself in favour of the independence and sovereignty of our land.

Already in 1997, 35% of the electorate voted in favour of the policies proposed by the *Tavini Huiraatira* – an electoral result stronger than that achieved by the FLNKS in New Caledonia. This tally can only increase in the future, in spite of the enormous resources used by the local conservative party, *Tahoeraa Huiraatira*

and its President, Gaston Flosse, who has not hesitated to use several billion Pacific francs of public money for his own personal and political electoral benefit.

This man, in effect the dictator in French Polynesia, is currently facing charges before the French courts for corruption, suspect dealings and interference in public affairs. The investigation and judgment of these cases has been dragging for some time.

There is something wrong when French justice can show as much indulgence in regard to an individual who started life as a teacher trainer. Flosse has clearly used government institutions and policies to enrich himself on the backs of the Maohi people, in such a scandalous manner, assuring his own personal ambitions and immodest taste for power. Why has the French judicial system been so lax in relation to this individual, when at the same time it has been especially severe and even unjust towards political leaders who share our pro-independence ideas and objectives?

It is essential to inform and make aware all layers of Polynesian society – whether local born Maohi or those who have adopted our land – that independence for our country is a noble objective, both desirable and achievable. This independence does not mean separation from France, but rather emancipation, liberation and the mastery of all the means at our command for our development in partnership, cooperation and fraternity with France and all the peoples of the world. The fact that, after independence, certain Pacific countries have not been able to resolve all the challenges of development does not mean that Te Ao Maohi cannot succeed. We can take a path towards a status of responsibility, liberty and openness as a sovereign state, with the rule of law that will respect individual and collective rights.

That is why it is vital that the nations and the peoples of the Pacific show their solidarity with the Maohi people's struggle for self-determination and sovereignty. People have supported the Kanak people of New Caledonia, with whom we are close and with whom we share the same vision of freedom and responsibility. I would like to solemnly stress that such solidarity is not interference in the internal affairs of France in French Polynesia.

On the dawn of the new millennium, we are coming to the end of the United Nations Decade for the Eradication of Colonialism. It is important to sum up the situation for decolonisation and to set out our future path in a realistic manner. Our region of the world has been called to play an important role in the new millennium. The word 'independence' has, it seems, been controversial. But in the Maohi language, the words 'liberty' and 'independence' have but one translation, '*Tamara*'.

History of resistance

It is no surprise that the Maohi people are reclaiming their sovereignty. This right was first breached in 1842, when the French admiral Dupetit-Thouars imposed a protectorate on Queen Pomaré IV. Then in 1880 the sovereignty was again breached with the act of abdication by Pomaré V, who ceded all his lands to France under conditions of trickery and pressure, which give no honor to the country which benefited.

Te Ao Maohi did not willingly become French. The annexation of our land came after armed conflict, military pressure and

Oscar Temaru speaking at the opening of the 8th NFIP conference

acts of corruption. By the end of the 19th century, Te Ao Maohi had become a colony of France under the name of the French Settlements in Oceania, or *Establissements Français de l'Océanie* (EFO). In 1956, the name was replaced by *Polynésie Française* - French Polynesia – and the country became an overseas territory of France.

A referendum on the future of the country was held in 1958, but this cannot be regarded as a true vote on self-determination, as the Yes vote in the referendum was only based on the provisions of the 1958 French Constitution.

Until now, the Maohi people have never had the chance to freely express themselves in a vote on their accession to full international sovereignty and political independence from France. People have only looked at electoral results for local institutions as a guide to pro-independence sentiment.

However, the electoral system for members of our Assembly is deeply anti-democratic. It fails to respect principles of equity, as some of our Territorial Council members are elected with enormous disparities in the number of votes in their electorate. This system is biased outrageously in favor of the political party currently in power – a party that is opposed to independence for our country. We have asked the French government and legislature to modify this electoral system, to allow a greater sense of equality and guarantee democracy in our country. These changes should be in place before the next territorial elections, in the year 2001.

For more than 20 years, Tavini Huiraatira has chosen a peaceful and democratic path in our struggle for independence. We believe that greater autonomy is but a step on the path to political independence and full sovereignty.

Some powers of autonomy were first given to our elected Polynesian representatives in 1958, under the Deferre law of 1957, known as the *Loi Cadre*. The great leader Pouvanaa a Oopa was the first to exercise these powers as Vice President of the Council of Ministers. Pouvanaa was the first Maohi politician to put his energies in opposition to the French colonial administration, placing enormous pressure on his physical well-being. He fell victim to the partisans of France within our country. He was unjustly tried and condemned and became the longest serving political prisoner in France because of his pro-independence stand. His political party *Rassemblement Démocratique de Populations Tahitiennes* (RDPT) was dissolved by the French state and it was only after ten years of exile that Pouvanaa could return to his native land to be re-elected as a Territorial Councilor and as senator for French Polynesia. His memory still lives in the hearts of the Maohi people, for whom he remains the one and only *Metua* of Te Ao Maohi.

The nuclear era

It took future events to show that the political machinations against Pouvanaa a Oopa were central to France's interests of state. Pouvanaa was the only Maohi politician with the authority and charisma to block General de Gaulle's plan to establish the French nuclear testing centre on Maohi soil, following the independence of Algeria and the closure of France's nuclear test sites in the Sahara desert.

With the establishment of the *Centre d'Expérimentations du Pacifique* (CEP) or Pacific Test Centre, the executive powers, which had been devolved to Polynesian representatives, were stripped away. The French Governor became the sole executive power as Head of the territory presiding over a government council.

This colonial system lasted until 1977. During the period between 1966-1974, France conducted 47 atmospheric nuclear tests at Moruroa and Fangataufa (a further 147 tests were conducted after 1974 in the base of these coral atolls, with all the risks that this entailed). In 1977, a new statute of autonomy was introduced. The French High Commissioner remained, as president of the government, while Francis Sanford became the Vice President. For the first time, the powers of the French State were written into law, with remaining powers flowing to the local authorities.

In 1984, a new statute of internal autonomy was introduced with the President of the Government elected from amongst the elected representatives and ministers, whose numbers increased from 5 to 10. The Territory was granted a symbol and some of the attributes of power.

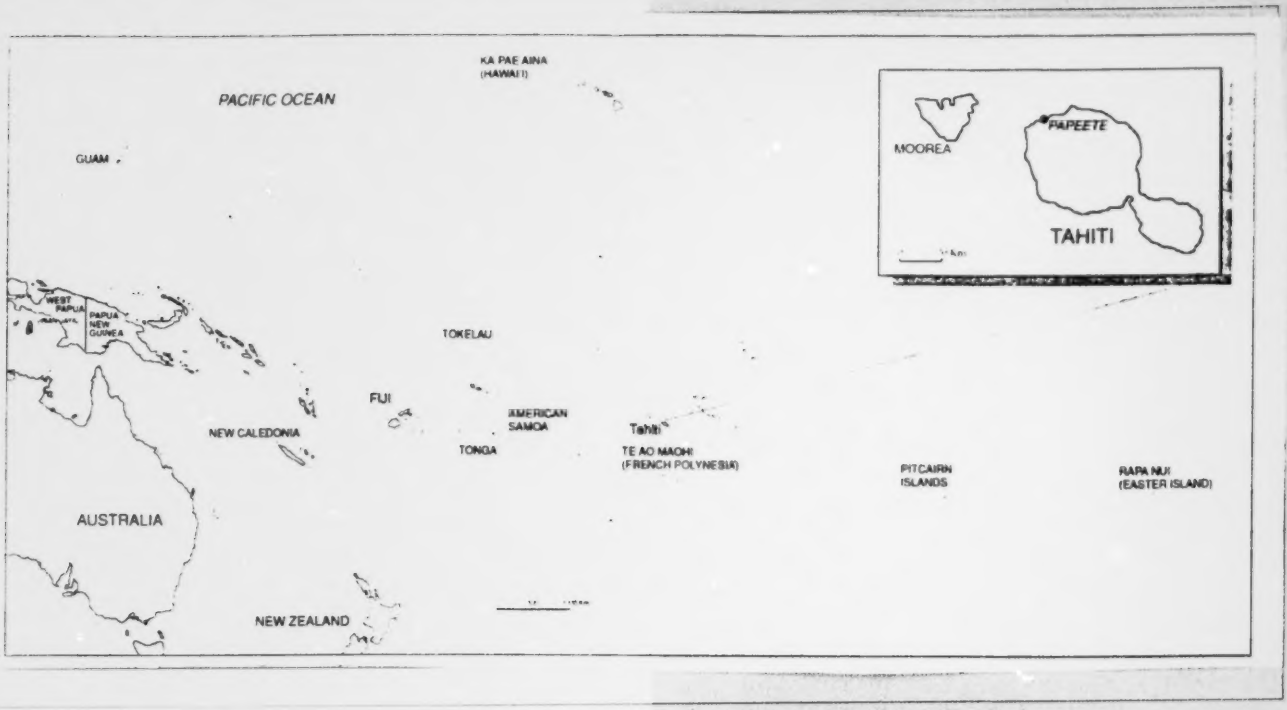
In 1990, Territorial President Alexandre Leontieff modified this statute of internal autonomy, which was entrenched as law under the French Constitution in 1992. Former President Leontieff, since 1994, has taken up the ideal of sovereignty for our land, and joined our ranks in 1995. The statute of autonomy was revised again by President Flosse in 1996, but the French Constitutional Court ruled out some of his changes.

After 30 years of nuclear testing and autonomy statutes, voters in our country have become more and more convinced of the justice of our cause. In elections held after the end of nuclear tests, Tavini Huiraatira increased its representation in the 41-seat Territorial Assembly, from 4 seats in 1991 to 11 seats in 1996. In the years between the elections for the French National Assembly held in 1993 and 1997, Tavini increased its vote by 77% from 15,317 to 27,097 votes, amounting to 35% of the electorate.

Towards independence

In these years, we have shown that the autonomy statutes are incapable of solving the key problems of the day. Like other Pacific nations, we face problems such as: immigration; the sale of our land; control of the resources of our maritime zone; and the lack of recognition given to our Maohi language (even though *reo Maohi* is supposed to be the official language). What can be done to counter the lack of respect shown by France to our local powers when it signs international agreements on our behalf? Only the full and effective sovereignty of Te Ao Maohi can set this right.

Today, Tahiti's politics have polarised with *Tavini Huiraatira* as the main political opposition to the ruling party of *Tahoera'a Huiraatira*. The local political scene is dominated by the clash



of ideas between those who support autonomy and those who support independence.

The current President of our government, Gaston Flosse is the local representative of the *Rassemblement Pour La République* (RPR) – the conservative party of French President Jacques Chirac. Flosse has decided to stand against the growing tide of independence with further modifications of the 1996 autonomy statute. Currently he is negotiating with the French government to change the French Constitution, following changes brought about by the Noumea Accord in New Caledonia. Such changes to the French law that governs our country would see Polynesia becoming an 'overseas country' of France, with the right to pass laws in certain areas. It is proposed to create a Polynesian citizenship, though this guarantee will be a cut-price citizenship, which doesn't even guarantee the right to vote in territorial elections.

Tavini Huiraatira has decided to participate in the negotiations over these statutes, not to improve the autonomy package but to order to stress our party's point of view in favour of sovereignty and to avoid giving Gaston Flosse and his supporters full control of public resources and institutions. We believe that any statute of autonomy must prepare and pave the way for the political independence of our country, which must have its own Constitution and vote all its laws. In the clear terms of one French government representative: 'autonomy is only an apprenticeship for independence'.

Instead of cutting the ground from beneath the independence movement, this new process of reform is strengthening the Maohi people's conviction that independence is inevitable. Independence does not mean the rupture of our ties with

Beach, Moorea

Moorea seen from Tahiti

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France. To the contrary, it means partnership, fraternity and co-operation with France, as well as Europe, the South Pacific Forum and countries around the world. We seek to extend our links especially in the Pacific region.

In New Caledonia, France has recognized the fact of colonialism. It must do the same for Polynesia. Like New Caledonia, our country must be re-listed on the UN list of non-self-governing territories. The South Pacific Forum has the power to assist with this goal. Must we be reminded that the United Nations supported decolonisation with its resolutions 1514 of 14 December 1960 and 1541 of 15 December 1960? Through resolution 4347 of 8 November 1988, the UN also declared the years 1990-2000 as the UN Decade for the Eradication of Colonialism.

'Independence with interdependence'

Political independence must be accompanied by certain measures of economic independence, even as we acknowledge that no economy in the world is truly independent. What we aim for is 'independence with interdependence', a concept that is relevant for the era of globalisation and the need for political dialogue at the state to state level.

The idea of economic independence for our country is not a dream. From now till the year 2005, Polynesia will meet 50% of its external debt – that is to say that our resources (tourism, exports, etc.) will finance 50% of the country's needs for imports, etc. France too has responsibility to make finance compensation for many years to meet its responsibilities to the Maohi people, their environment and their society and economy. This process has already commenced within the framework of laws by which France has signed a development contract, and put in place a conversion fund for the post-nuclear era; a fund aimed at re-establishing economic balance through the development and improvement of the resources of our country.

With independence, our balance of overseas exchange will improve. There will be a better utilisation of our sovereign powers, especially over fiscal controls that will allow productive investments. Together with France and other countries we will develop our ocean resources from an Exclusive Economic Zone as large as the area of Western Europe. We will also promote our local agriculture to reduce our reliance on overseas products.

Tourism will remain a priority in our economic development, as it has follow-on effects to other sectors such as agriculture, fisheries, perliculture, handicrafts, transport and commerce. Our country will remain one of the world's most appreciated tourist destination. But to achieve this objective, the struggle to protect the environment and controlling pollution remains a central task. Tourism should not be the source of pollution for our people and culture, through casinos, prostitution and drugs. Tavini supports a clean tourism that respects both people and the environment. Tourism creates a number of jobs, and is a source of foreign currency earning currently amounting to some 40 billion Pacific francs.

By doubling the number of tourists to the figure of 500-600,000 in the future (compared to 6 million annually in Hawaii and one million in Guam) the increase in foreign currency and development of related activities would allow to replace the financial flows from the French government to Polynesia. It is a goal that can be realised in the next 10-15 years.

Polynesia can also place lots of hope in the exploitation of our ocean resources. Above all, the production of black pearls is an important resource, which is unique to French Polynesia, even as other countries in the Pacific try to develop the industry. There are other ocean resources such as tuna in our economic zone, and we have the capacity with our own tuna fleets to exploit these resources ourselves, halting the fishing agreements already signed with countries like Japan and South Korea. There are also resources of seabed minerals, important strategic metals such as cobalt. New energy sources – solar, wave and hydroelectric – will further contribute to this policy of economic independence.

Polynesia truly has a fund of real economic assets, together with a young population, which is proficient with computer skills and knowledge of English, the first international language (not forgetting however *reo Maohi*, the Maohi language, which is the basis of our culture and identity). French will remain here as the first language as long as it is required for wider knowledge and it is expected that France - with its policy of *francophonie* - will continue to fund our education system through development co-operation treaties replacing the current funding provided by convention.

Our country must also control the flight of capital through our local banks. For several years, the local banks exported more than 60 billion Pacific francs a year. Placing these funds in the French financial market creates jobs in France, rather than here!

Our country must also struggle to combat the false needs created by modernisation, which are exacerbated by advertising and easy access to credit. As housing remains a vital need to be met, one can only deplore the importance given to car parks and roads, the source of the traffic problems, which Tahiti knows so well, due to the lack of local government planning. Without rejecting modernity and its benefits, Polynesian society must evolve towards a cleaner, more authentic way of life, closer to our culture and to nature.

The values of community solidarity together with our Christian values continue to be the cement, which binds together the Maohi society on the eve of the new millennium, in spite of the unbridled search for profit in this capitalist economy. The peoples of the Pacific must recreate their ties of friendship, solidarity and emancipation.

Oscar Temaru *is the leading political figure calling for the independence of Te Ao Maohi (French Polynesia). Elected in 1983 as Mayor of Faa'a – the largest municipality in the country of 200,000 people – Temaru also serves as a member of the Territorial Congress. He is the President of Tavini Huiraatira no Te Ao Maohi, the largest political party supporting independence from France.*❑

HOW THE ISLAND OF RAPA BECAME 'FRENCH'

Rapa belongs to the Australes, one of the five archipelagos of Te Ao Maohi/ French Polynesia. Completely isolated from the other Austral islands, and lying at some 1,600 km from Tahiti and the capital cityPapeete, it is the southernmost island of the territory. It only covers 39 square km and has a population of approx. 600.

Declared a French Protectorate in 1869, the island was visited a second time by the French in 1881. During this visit, the French-Tahitian flag was replaced with the French flag, and Rapa became a colony within the "Etablissements Francais de l'Océanie".

In his letter to the French Colonial Minister, Mr. Chessé, Commanding Commissioner of the French Republic, describes how he was able to get the leadership of Rapa to sign the declaration that was used later to justify the annexation of Rapa[1].

When I left the Gambier, I sailed to Rapa. At this time of year, I was expecting to arrive quickly by sail, but, due to calms and contrary winds, I only arrived 6 days after my departure from Mangareva, and still we had to fire.

I was not expecting any serious difficulty in Rapa, only a little coolness towards us and the fear, like everywhere else, to see taxes, French laws, businessmen etc. come together with our flag. Unfortunately, there was more than that. A British corvette had called two months ago: A company based in Papeete (Johnston) was entertaining relations with the island and I am quite sure that they would like to give it a monopoly, maybe with the assistance of the 'Turquoise' or any other of Her British Majesty's vessels.

Already at my first meeting with the natives, I noticed that there was something demanding a more active intervention from our part than I had expected: my gifts were refused. They included fabrics, soap bars, nails, tobacco, all these things being highly prized in such a small island deprived of absolutely everything. For this very reason, the island has a strong and industrious population, which is truly very interesting: the men and women are muscular as working people; the number of children is twice that of the fathers and mothers. In all there are at present 150 people, but one can see that there is a progressing vitality. This presents a striking contrast with Mangareva.

To come back to politics, I was on my guard because of the reception I was given, and rather than risk a discussion that could prove dangerous with these good people, I let time and our friends do their work. We arrived on a Saturday and the next day being dedicated to the Lord, nothing could be settled, but I hoped that people would have talked so that they would be better disposed the following Monday morning. We had brought back to the island a dozen of islanders who had lived in Tahiti for years and had been waiting for an opportunity to return home: the old pilot and former guide for the French troops in Tautaua, Mairoto and his son were there.

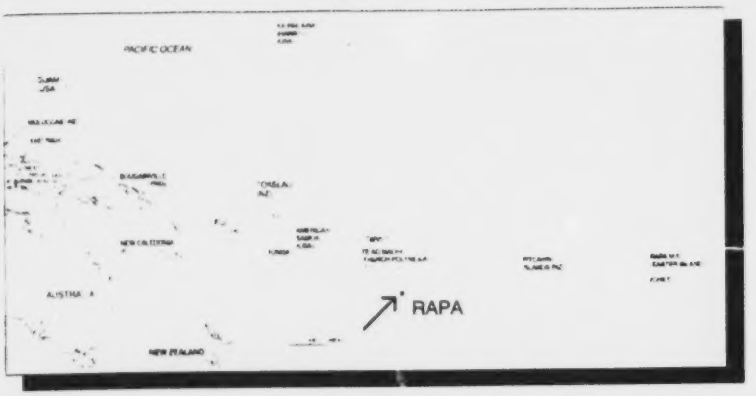
We put some of our hopes in them.

The whole population was invited to an *amu raa maa*[2] on board Monday morning. At 8 o'clock, the king Parima, the chiefs and the High Judge came alone and asked, quite solemnly, to speak to me. I understood that there would be a struggle: I was more or less expecting it and I was ready.

They told me that they were very happy that I had come, but that they did not want the French flag. I treated them gently and tried to make them understand the advantages that would result for them. They answered me like people who have learned a lesson and said, among other things:

'If we take your flag, and if your country gets into a war with another big nation and you lose men and money, then everyone

carrying your flag will have to contribute, and then they will come and take our land and collect taxes from us. What can we do then? What will become of our children?'



Your Excellency will probably think, as I did, that the people of Rapa are not able to work out such a neat reasoning themselves. Then, it is easy to see where it comes from and why.

I tried to win these people that had been deceived and mislead over to my side, and tried to explain to them that the new French flag I had brought them was not something new as it would replace the protectorate flag that they themselves asked for and obtained. Then they answered, as I told Your Excellency at the beginning of my letter:

'But we do not want this flag either and we will give it back to you: we furled it long ago. We want to remain independent.'

When I told them: *'You should not have furled the flag. Since you still have it, you should have raised it when you saw us come'*, they answered with their imperturbable logic:

'Caillet left in 1869 and we haven't heard anything since that time. We furled the flag in order to give it back when we could. We will give it back to you because we don't want it as we don't want the new flag you brought us'.

I could not, of course, accept this line of thought and I answered that they were under French protectorate, as everyone knows, and this was what had ensured their independence. Today, the protectorate flag with French-Tahitian colours that protected them had disappeared and had been replaced by the French flag itself, and they were obliged to accept this change. But it meant no change at all in their status, their organisation, their internal life as it did not make any claim on their property and did not introduce any new laws - and that they could not decide whether or not they wanted this flag as it was a consequence of relations established between them and France since 1867.

They thought about the matter for a short while, then the orator said to me: *'No, we do not want it.'* Then I told them in a tone that was both fatherly and hard that I did not want to hear such talk because they were behaving like blind children who did not know where they were going. That this kind of talk was a rebellious act against the French flag, that I could not tolerate it and they had to think the matter through and answer me. Else, if they persisted, I would have to punish them and I would consider them as people who are not able to govern themselves or to defend themselves against bad suggestions and that they were unable to guard the flag, thus I would have to take over the government myself and provide whatever was necessary.

They thought for a long time and then answered with the same imperturbable cold-bloodedness:

'We want neither the flag you brought nor the one Caillet left with us, we will give them back to you, and we want to remain independent.'

'Fine', I answered with the same coolness: *'I am taking over the government this instant, you can go'*, and I went to the ship's captain, Mr. de Gironde, to ask him to put at my disposal twenty men from the landing party. I also had two gendarmes whom I brought with me from Papeete, in case I needed them, and I was going to leave them ashore after appointing Pau Kurue, Mairoto's son, as chief of the island. He would be devoted to us and able to make the population obey him, especially with two gendarmes.

After having arranged for the second lifeboat to take the interpreter ashore to fetch Mairoto and Pau Kurue, I went back to Mr. Caillet and Mr. Cadousteau, the interpreter that had stayed among the natives after I left. When I arrived, Mr. Cadousteau said: *'They saw that they made a mistake; they ask you not to be too hard on them and they will be your children.'*

Of course, I softened, and I reprimanded them in a brotherly but hard tone and I made them sign the declaration that I have included here.

And after a few more remarks on the duties, which fell on them, I granted them what they asked for.

Then I was totally confidant that the French colours would fly on this island, and that the natives would defend them if necessary.

These people have such a nature that, immediately after, they were showing the greatest joy about what had just been agreed between us. All the gloomy faces we saw at our arrival and during the discussion cleared up. The *amu raa maa* on board took place and the whole population took part in it with enthusiasm and after that, they all went ashore to hoist our French colours.

Since Rapa has only few or no trees fit to be used as a mast for a flag, I asked the gracious assistance of Mr. de Gironde, who thought, like I did, that, while we were at it, we had to hoist our flag on a proper mast (the natives take great pride in this matter of mast). Mr. de Gironde put at my disposal a topsail mast, which was immediately taken ashore and hoisted by the population of Rapa, who put an honour in not letting our sailors do any work. A fatigue party had been sent to the island to help them if required, but the natives said *'no, let us do it'*. Soon the French colours were flying on the island of Rapa, and before it

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was fastened to the top of the mast it went up and down three times to salute the same colours flying at the gaff of the 'Guicheur'.

This was the happy conclusion of a matter that began quite inauspiciously.

We were under pressure, so we left Rapa after the salute and took leave of these good people after having given them whatever we could.

Thus, Your Excellency, the matter of Rapa is also settled and this means the realisation, in our French dependencies in Oceania, of the political improvement sought for by the Department of Marine and Colonies and that you yourself had pointed out as being necessary already in 1870...

The treaty signed on this occasion between Mr. Chessé, commanding Commissioner of the French Republic, and King Parima, was written in French and in Maori but the two texts, here rendered in English, differ:

The Tahitian text reads:

To Mr. Chessé,
Commanding Commissioner of
the French Republic

We greet you and we say to you that we are very happy that you have come among us.

We will take good care of the new flag that you have placed in our hands.

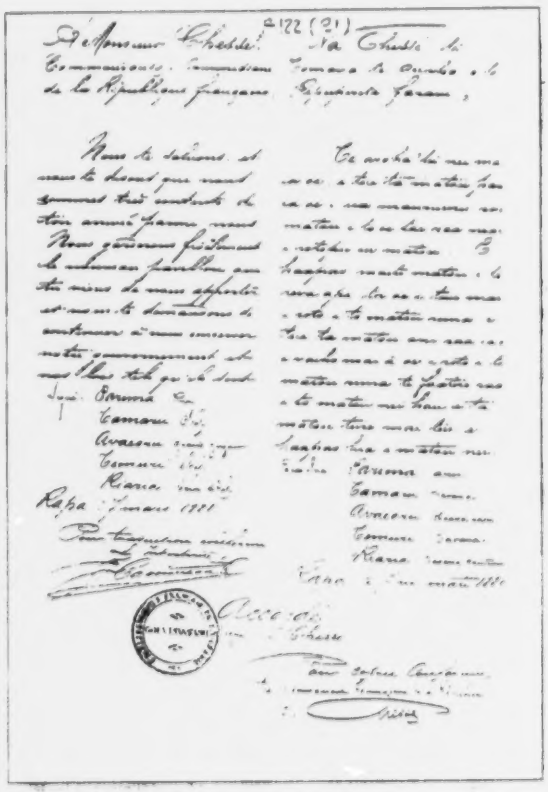
And this is what we ask you: that you leave in our hands the government of our nation and our laws as we have preserved them until now.

Signed by:

Parima, king
Tamaru, chief
Avaeoru, High Judge
Temuri, chief
Riaria, sub-chief

Rapa, March 7, 1881

For a true translation, the interpreter (signed) : J. Cadousteau
Granted: Signed: J. Chessé



Reproduction of the Treaty document. Fondation Bengt et Marie Thérèse Danielson

The French translation reads:

To Mr. Chessé,
Commanding Commissioner
of the French Republic

We greet you and say that we are very happy that you have come among us.

We will take good care of the new flag that you have just brought us and we ask you to continue to keep our government and our laws as they are.

Signed by:

Parima, king
Tamaru, chief
Avaeoru, High Judge
Temuri, chief
Riaria, sub-chief

For the French government, this declaration was used to justify the annexation of the island of Rapa by France. The original document is still kept secret, and the translation comes from a copy made in 1881. The French translation does not use the word 'hau' which means 'nation'.

Notes

[1] The original documents are still kept secret, and the following translations come from a copy made in 1881 and kept in the archives of the Foundation of Bengt and Marie-Thérèse Danielson. Both documents have been translated by Martine Pétrod.

[2] *Amu raa maa*: 'amu ra'a mā'a, Tahitian for 'meal', literally 'eating of food' *(translator's note)*.

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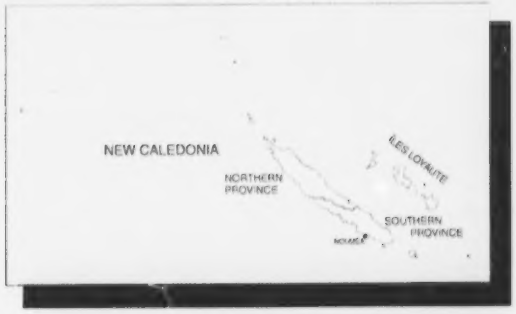
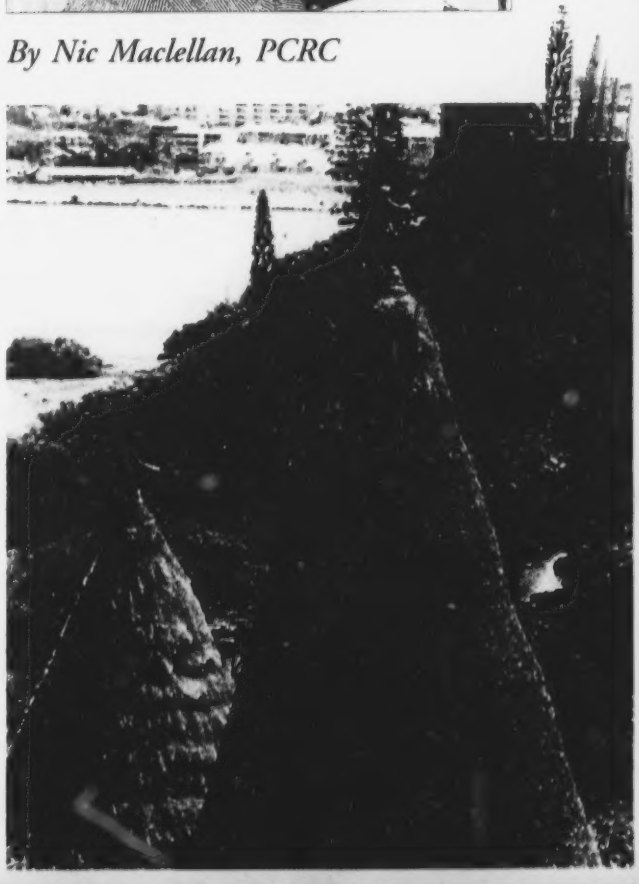


THE NOUMEA ACCORD AND DECOLONISATION IN KANAKY

(NEW CALEDONIA)

By Nic Maclellan, PCRC



The signing of the Noumea Accord in May 1998, and the creation of new political institutions have changed the terrain for decolonisation in Kanaky (New Caledonia) in significant ways.

After a complex series of negotiations, the Noumea Accord for New Caledonia was signed on 5 May 1998 by the government of France, the *Front de Libération Nationale Kanak et Socialiste* (FLNKS) and the *Rassemblement Pour la Calédonie dans la République* (RPCR). Subsequent legislation in Paris enacted key elements of the Accord, including:

- Constitutional changes to New Caledonia's status within the French Republic, creating "shared sovereignty", a new citizenship for New Caledonians, and ending the previous status as a *territoire d'outre-mer* (overseas territory) of France;
- Elections in May 1999 for new political institutions, replacing the existing Territorial Congress;

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- An "irreversible" transfer of administrative powers from Paris to local authorities and the new Congress in New Caledonia;
- Measures to recognise indigenous Kanak culture and identity (highlighted by a preamble to the Noumea Accord which acknowledges the "shadows" of the colonial period);
- A further 15-20 year transition before a referendum on self-determination for New Caledonia, possibly leading to the "emancipation" of the territory.

The transitional status

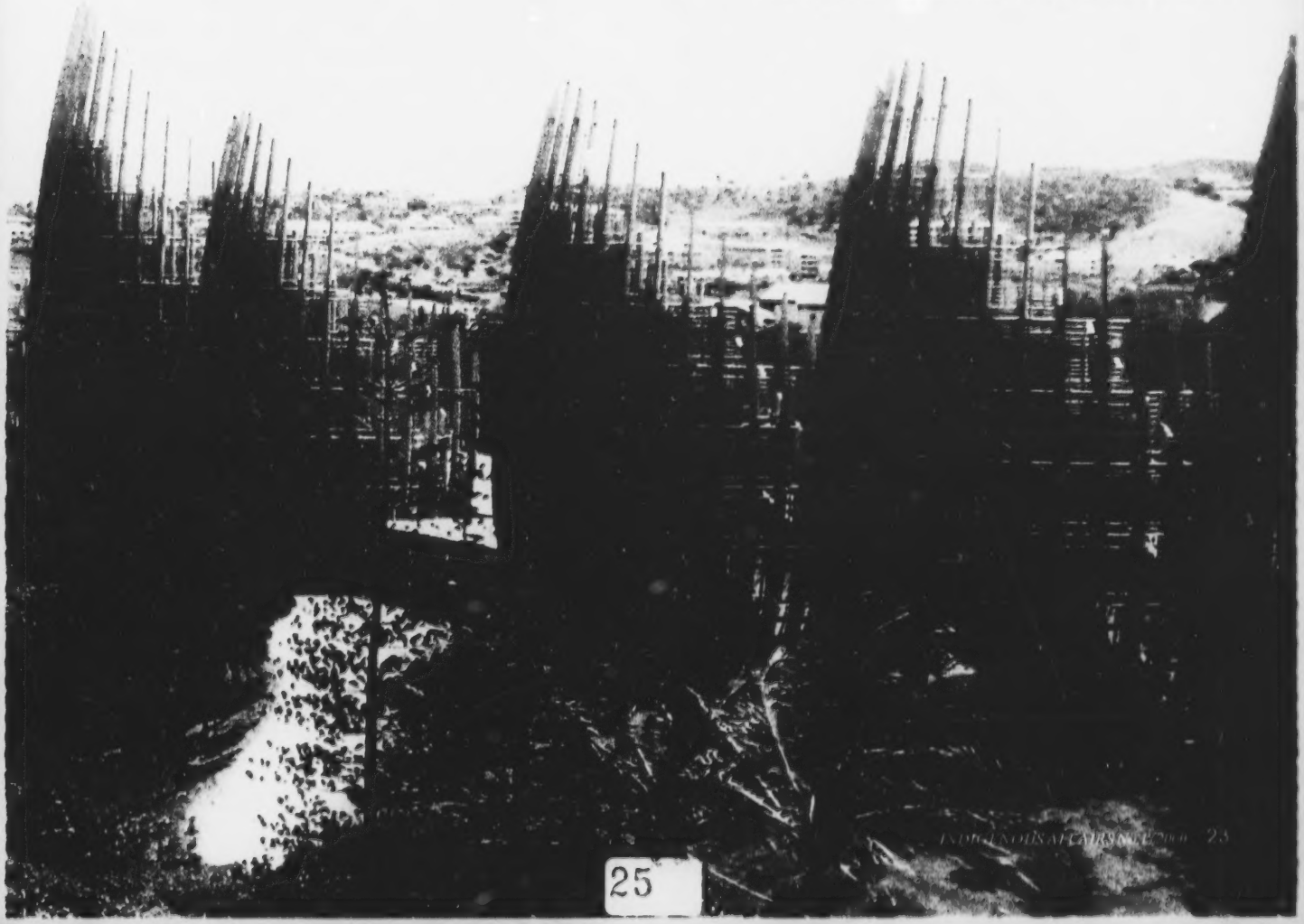
The transitional status created by the Noumea Accord is unique, and was negotiated in stages. Following the signing of the agreement on 5 May 1998, the French National Assembly and Senate passed amendments to the French Constitution, which were approved at a joint sitting of Parliament at Versailles on 6 July 1998. The agreement was then ratified by nearly 72% of the population of New Caledonia in a referendum on 8 November 1998. The French Parliament passed legislation to implement the referendum decision on 12 March 1999.

This opened the way for May 1999 elections to the new political institutions:

- Three Provincial Assemblies, for the Southern Province (40 seats), the Northern Province (22 seats) and the Loyalty Islands Province (14 seats).
- A new 54 seat Congress made up of 32 Assembly members from the South, 15 from the North and 7 from the Loyalty Islands, elected for five-year terms.
- A Government executive of 11 members, which replaces the French High Commissioner as the country's executive body, and can propose laws for adoption by the Congress.
- A 16-member Senate for customary chiefs, which must be consulted on issues that affect Kanak identity.

The new category of "New Caledonian citizens" under French law is important for voting, immigration and employment

View of the Cultural Centre Jean Marie Tjibaou, Noumea, Kanaky



rights. Only New Caledonians were allowed to vote in the November 1998 referendum and for the Assembly and Congress elections (however, New Caledonian citizens retain their French nationality, and can join all other French nationals to vote for the French National Assembly and European Parliament).

Powers currently held by the French State will be transferred to New Caledonia in four stages. Unlike France's autonomy statutes for French Polynesia, these powers cannot revert to Paris once transferred. A few powers will be transferred on 1 January 2000 (including control of local employment and primary education); others will be transferred in stages over a decade. Throughout the transition period, some powers will be shared between New Caledonia and the French State (e.g. while international relations are within the state's responsibility, New Caledonia can join international and regional organisations as an observer). The crucial "sovereign powers" - justice, public order, defence, finance and currency - will remain as French State powers until after the final referendum on self-determination.

This vote on New Caledonia's political status will be delayed for a period of 15-20 years (i.e. until after three terms of the Congress, and before the end of the fourth term). This vote, between the years 2014 and 2018, will be based on a limited franchise (rather than all French citizens) and will focus on "the transfer of the sovereign powers to New Caledonia, accession to an international status of full responsibility and transformation from citizenship to nationality".

The Kanak reaction

FLNKS President Roch Wamytan has stressed the historic gains of the Noumea Accord for the indigenous population: a recognition by France and the RPCR of the colonial past; unprecedented changes to the French Constitution; restrictions on voting and controls on immigration which may swing the political balance towards the Kanaks; the "irreversible" transfer of powers to New Caledonian institutions. Many Kanaks have also welcomed measures to recognise indigenous Kanak culture and identity.

The referendum won majority Kanak support, but there are dissenting voices. They note that France will retain control of key legal and political powers and many aspects of foreign policy in the 15-20 years before the act of self-determination. While the preamble to the Accord makes specific acknowledgment of the colonial past, the words "self-determination" or "independence" are not used. The French government is presenting itself as an independent arbitrator between pro- and anti-independence factions, rewriting the history of the French State's central role in the colonial process. Some NGOs are concerned over the social and environmental impacts of a development model based on mining and tourism. More concretely, the trade union confederation USTKE sees the Accord as reinforcing and legitimising the RPCR's power in the local administration.

The immigration issue

As a result of ongoing immigration, the indigenous Kanaks have become a minority in their own land. The Kanak population actually declined during the decade after the 1988 Matignon Accords (from 44.8% to 44.1% of the population), in spite of the high birth rate in the indigenous community. The European population increased by over 10,000 in the same period - even though Prime Minister Michel Rocard promised Jean-Marie Tjibaou in 1988 that France would repatriate thousands of French public servants.

The reversal of this immigration was a crucial element of the Noumea Accord negotiations, with vital implications for political rights, cultural values and local employment. The creation of New Caledonian "citizenship" (as distinct from French "nationality") was a legal mechanism to allow discrimination between French public servants and soldiers (who traditionally voté against independence) and people with a long-term commitment to the Pacific nation. Only New Caledonian citizens can vote for Provincial Assemblies and the new Congress - effectively freezing the electoral body in 1998, as only those people resident for ten years after 1988, and their descendants of voting age, can participate in future electoral contests. Independence leaders argue that demographic change and limits on immigration from France will create a basis for a solid vote in favour of independence at the end of the 15-year transition period.

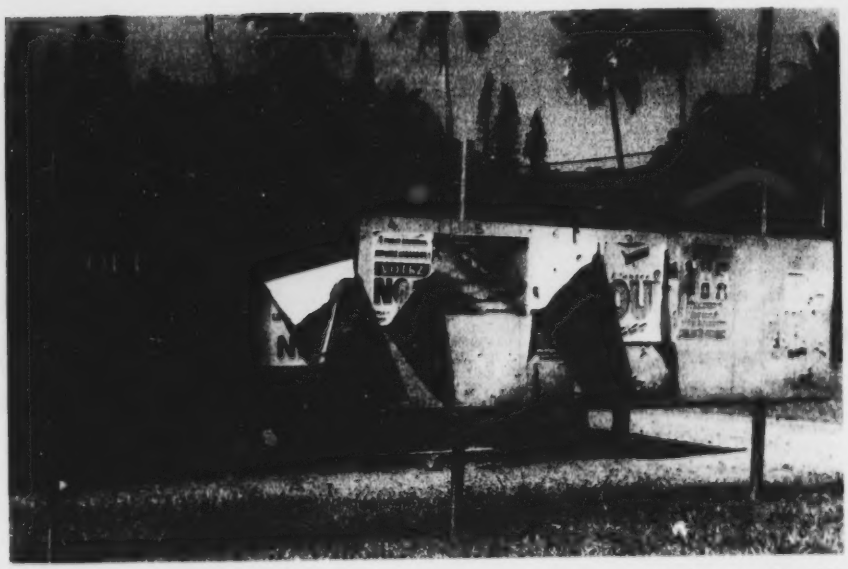
But on 15 March 1999, the *Conseil Constitutionnel* (Constitutional Court) in Paris ruled that all French citizens residing in New Caledonia for at least 10 years - whatever their date of arrival - will be able to participate in provincial elections. (The Court evaluates whether laws passed by the French Parliament are in accordance with the French Constitution.) Angered by the removal of a key plank of the Accord, the FLNKS leadership threatened a boycott of the May 1999 elections. The boycott call was only reversed when the French government agreed to amend the Constitution again. In June 1999, legislation passed through the French National Assembly and Senate to re-establish the 1988 cut off date-legislation which will be ratified by a joint sitting of both houses in January 2000.

Immigration has important impacts on employment, with young New Caledonians often losing jobs to expatriates from France. The "400 cadres" program established under the Matignon Accords increased the number of Kanaks employed in the local administration, but senior management levels are dominated by French public servants (1277 Europeans to only 188 Kanaks). Between 1989 and 1996, the number of French public servants in Noumea doubled.

Some Kanak union leaders are concerned that the transfer of powers from Paris to Noumea after 2000 will create new pressures for expatriate employment, due to the limited numbers of Kanaks with professional and technical skills. The 1996 census shows that in the 'liberal professions' there are 551 Europeans, seven Wallisians, three Tahitians but only two Kanaks! The imbalance will continue, as the RPCR has taken control of key responsibilities in the government relating to economic affairs, finance, budget, employment, public service, training and education - leaving the FLNKS with youth and sports, culture, health and relations with the Congress and Senate.

The Noumea Accord process has implications for the other French Pacific colonies. The French government will amend its Constitution again in January 2000 to create a new statute of autonomy for French Polynesia. This will duplicate some elements of the Noumea Accord: French Polynesia will become an "overseas country", rather than an "overseas territory" of France, with the power to pass laws, sign international treaties and protect local employment. Unlike the Noumea Accord however, there is no vote on self-determination and independence at the end of the transition!

Nic Maclellan is PCRC's Educational Resource Developer. He has for many years closely followed the situation in New Caledonia/ Kanaky. For further details, see his article 'The Noumea Accord and the decolonisation of New Caledonia', *in Journal of Pacific History, December 1999.* ❑



Kanaky, november 1998

EAST TIMOR: THE ROAD TO INDEPENDENCE

By Torben Retbøll

28

'If they want to have their freedom, they are welcome. The government has adopted only two alternatives. The first is wide-ranging autonomy for the province, which I believe to be the best solution to the question. But if the proposal is unacceptable, we will proceed to our second alternative that is, we return to the people [through a general session of the People's Consultative Assembly, MPR] *to rule that East Timor be permitted to secede from Indonesia.'*

These words were spoken by the Indonesian Foreign Minister Ali Alatas on 27 January 1999. He was talking about the former Portuguese colony East Timor, which was invaded by Indonesia on 7 December 1975. Indonesia annexed the tiny territory in July 1976 claiming it as Indonesia's 27th province.

For many years the East Timor conflict was at a deadlock, but the foreign minister's statement marked the beginning of a new chapter in East Timor's history which, so far, has turned out to be very turbulent and dominated by rapid changes.

This article is divided into two main sections. In the first section I will present a chronological outline of events since January 1999. In the second section I will try to explain why things turned out the way they did. As for East Timor's history prior to 1999, I will refer to the separate sidebar (A Long and Bloody Conflict).

House arrest

On 10 February Xanana Gusmao, leader of Timor's National Resistance Council (CNRT), was transferred from his cell in Jakarta's Cipinang Prison to house arrest in a villa in a Jakarta suburb. Xanana Gusmao was captured by the Indonesians in November 1992.

Four days later the Australian government declared that it was very likely that East Timor would eventually gain full independence from Indonesia: *'It looks very likely that at some stage there will be full independence, however we would prefer there to be a period of autonomy within the Indonesian state for a considerable period of time, and at the very least an orderly transfer,'* Australian Prime Minister John Howard told Australian television.

This statement was highly significant, since Australia was the only Western nation that had recognised Indonesia's annexation of East Timor *de facto* as well as *de jure*. By contrast, the United Nations always considered Indonesia's take-over as an illegal act.

On 5 May Indonesia and Portugal signed an agreement in New York which paved the way for a referendum on East Timor's future. It was the conclusion of longstanding negotiations under the auspices of the United Nations. At first the referendum was scheduled for 8 August, but later it was postponed to 30 August. The referendum was to be organised and monitored by a UN mission in East Timor (UNAMET) whose members began arriving in the territory three days after the agreement was signed in New York.

On 7 June Indonesia held elections for a new parliament. These were the first elections since the forced resignation of Suharto who had been the country's

dictator for more than 30 years. Under Suharto only three parties were allowed: the ruling party (Golkar) and two opposition parties. A multitude of parties ran in the new elections, but most of them did not have any chance of being represented in the new parliament.

The counting of the votes took a long time. The final results were not announced until 20 July. The Democratic Party of Struggle led by Megawati Sukarnoputri, daughter of Indonesia's founding President, won 33.7 percent of the 105 million votes. Golkar, the former government party, came second with 22.4 percent. The National Awakening Party won 12.6 percent followed by the United Development Party with 10.7 percent. The National Mandate Party gained 7.1 percent, while several minor groups won a total of 13.5 percent.

The Referendum

On 30 August the referendum on East Timor's future was held. It was a relatively peaceful day by local standards, but the referendum took place in an atmosphere of violence and threats of violence: for several months pro-Indonesian militias had been spreading death and destruction all over the territory. The militias were sponsored by the Indonesian army (TNI), which was still in charge of security, in accordance with the New York agreement. UN monitors were unarmed and therefore unable to stop the militias.

Five days later the result was announced. Turnout was high: about 99 percent of the 450,000 registered voters participated in the ballot. And the message was clear: 78.5 percent of the voters endorsed independence, rejecting Indonesia's offer of a special autonomy. Only 21 percent voted in favour of autonomy.

'There are no winners, and there are no losers today,' UN Secretary-General Kofi Annan said when he announced the result of the referendum. *'This moment heralds the opportunity for all East Timorese to begin to forge together a common future in what is to become an independent East Timor.'* He added: *'Today I ask all the parties to bring to an end the violence that for 24 years has caused untold suffering to East Timor.'*

His plea was not heeded: during the next few days the militias stepped up their activities against those considered to be in favour of independence. About 200,000 people fled to the mountains of East Timor. An equal number of people were forced across the border into West Timor where they remained under the control of militias and Indonesian soldiers.

Even Bishop Carlos Belo was forced to flee to Australia disguised as a civilian. From Australia the bishop travelled to Europe. On his arrival in Lisbon on 10 September he accused the Indonesian authorities of 'genocide' in East Timor: *'Dili is a city destroyed, completely burned,'* he said. Soon there would be nothing left of East Timor but *'trees, stones, earth and animals'*.

Most foreigners also left the territory: representatives of the International Committee of the Red Cross, members of UNAMET and foreign reporters. In many ways the situation was similar to the time just before the invasion in December 1975.

Pressure on Indonesia

US President Bill Clinton and other members of the international community urged Indonesia to accept an international military force which could provide law and order in the territory. *'If Indonesia does not end the violence, it must invite the international community to assist in restoring security,'* Clinton said in a speech from the White House.

The situation was getting out of hand, but Indonesia still refused to give in, and the great powers were not willing to send a military force without Indonesia's prior approval.

In the midst of this crisis - on 8 September - Indonesia released Xanana Gusmao from his house arrest. For the first time since he was captured in 1992, he was a free man. But he could not return to his homeland because of the troubles there. Instead he went to the British embassy in Jakarta.

On 10 September the IMF announced that it was suspending its talks with Indonesia. On 11 September the United States and the European Union announced that they were suspending all civilian and military assistance to Indonesia. The next day Indonesia announced that it was prepared to accept an international military force in East Timor.

On 15 September the UN Security Council adopted a resolution that authorised an international military force to take charge of security in East Timor. The force was led by Australia and composed of troops from 16 countries, mainly Asian. The first of about 7,000 troops began arriving in Dili five days after the Security Council vote. As the international force moved in, the Indonesian military began pulling out of the territory.

The multinational force was not a UN force under UN command. The Security Council merely authorised 'somebody' to do 'something' to help East Timor. It was expected that power would be handed over to a regular UN force later in 1999.

Belo and Gusmao

On 6 October Bishop Belo returned to East Timor where he received a hero's welcome. An AFP telegram describes him as 'the man who dared to say no to Suharto'. During the Indonesian occupation the Catholic Church was the only legal institution that was not controlled by Jakarta. Many East Timorese became Catholics because the Church tried to protect them from Indonesian oppression. Attending mass in a Catholic church was the only legal way to demonstrate your opposition to integration with Indonesia.

Xanana Gusmao left the British embassy in Jakarta arriving in Darwin on 20 September. From there he went on a long journey which brought him to New York (28 September), to Lisbon (1 October), to Dublin (6 October) and back to Australia (13 October).

In New York Gusmao and José Ramos-Horta gave a press conference at the UN headquarters. Among the many questions raised there one was about the role of women in a free East Timor. Mr. Gusmao said that today women held leadership positions and were working hard in a wide range of

activities. *'We want to build a society in East Timor which values democracy, human rights and transparency,'* he said. The aim was to promote East Timorese culture and promote gender equality, and women would play a role in the entire process.

In Lisbon he was received as a head of state although he had no official standing. Portuguese President Jorge Sampaio welcomed Gusmao at Lisbon's airport, along with Prime Minister Antonio Guterres, Foreign and Defence Minister Jaime Gama, and the leaders of Portugal's political parties.

In Dublin he stressed that the East Timorese who were forced to West Timor must be allowed to return to their home: *'My people do not need food and medicines. They want above all to go home, women to find their husbands, fathers, or to find their bones and bury them,'* he told a group of solidarity and NGO activists. He also explained why Falintil was not prepared to disarm: *'Falintil is a liberation army, not a group of banditos and criminals.'* It is *'a legitimate force and that is why we don't agree to disarm.'*

Back in Australia, this time in Melbourne, he said, *'a free and independent East Timor will soon be born from the ashes of our devastated and destroyed homeland.'* He said his country needed international assistance, but promised that it would *'not allow the shaping of a culture of dependency on international aid and assistance'*.

He talked about the economic foundations:

> *'East Timor will engage in international trade through exports of coffee, oil and gas, and tourism as well as importing goods and services from overseas. Nevertheless, we will place emphasis on developing the agricultural sector together with small and medium industries as the engine for economic growth.'*

He also talked about the political system:

> *'The democratic system that we are envisioning is the one that allows a genuine representation where all democratic elements, such as the press and non-governmental organisations, also have a substantial voice in the decision-making process.'*

He promised that it would be diligent *'in promoting total transparency within the apparatuses and organisations of power and in the management and accountability of funds provided by international aid to civic and social organisations'*. This would ensure that *'from the first moment we can firmly combat corruption and all temptation to debase the objectives of sustainable development'*.

Independence

On 20 October the People's Consultative Assembly (MPR) in Jakarta ratified the results of the referendum of 30 August, thus cancelling Indonesia's annexation of July 1976 and paving the way for East Timor's independence. All factions of the MPR accepted the decision but no vote was taken.

The assembly did not offer any regrets for Indonesia's actions in East Timor during the bloody occupation. On the contrary, one paragraph of the decree states that this would *'not invalidate the actions or all forms of state honour to fighters and officials given during the period that the East Timor territory was united with the Republic of Indonesia according to national laws'*.

Three days after this historic vote Gusmao returned to his homeland for the first time in seven years. It was an emotional situation. At a meeting in Dili he exhorted his countrymen to show the world their strength and to rebuild their homeland: *'We knew we would suffer! But we are still here,'* he said.

> *'We will show the world, we will show Indonesia, we will show ourselves that we can do it! We must put in the past the evil they have done to us. Tomorrow is ours,'* he said.
>
> *'They tried to kill us,'* he said *'But we are still here, crying and suffering but still alive. We will rebuild our homeland. Nothing can stop us.'*

A product of the Cold War

After this chronological outline, I will try to explain why things turned out the way they did. In 1999 Indonesia, the Western countries and the Western media made a complete turnaround with regard to East Timor. Why?

A general answer is that the East Timor conflict was a product of the Cold War between East and West. Indonesia's anti-communist government was considered an important ally of the Western world, and this status effectively protected Indonesia against almost any kind of criticism. But the Cold War ended in 1989 or 1990. Once it was over Indonesia was not as needed as before and it began to lose its immunity against criticism.

In mid-1997 Indonesia was hit by an economic crisis which weakened the government so much that Suharto was forced to resign in May 1998, after more than 30 years as the country's dictator. He was followed by his vice-president B.J. Habibie who announced that Indonesia was prepared to talk about the status of East Timor.

The Western countries have no problems with a dictator as long as he is in control of the situation. While Suharto was in power (1965-1998) the Western countries did nothing to promote democracy in Indonesia or to help East Timor in its struggle for freedom. On the contrary, they supported Suharto's government with money and arms, so that it was able to pursue its policies. The message seemed to be: *'the more people you kill, the more money you will get.'*

But as soon as Suharto lost control, he lost his immunity. All of a sudden the Western governments demanded democracy in Indonesia itself and freedom for East Timor. This is nothing new: Ferdinand Marcos of the Philippines and Jean Claude Duvalier (Baby Doc) of Haiti both experienced the same fate in 1986.

The Western media tend to follow the Western governments when it comes to fundamental questions. They certainly did so with regard to East Timor. They were silent while the Western governments supplied Suharto's regime with arms and money. When Suharto was forced to resign they began demanding democracy in Indonesia and freedom for East Timor.

The UN agreement

One of the provisions in the New York agreement of 5 May 1999 was that Indonesia would be responsible for security during the referendum. Why did the UN accept this? And why did the UN send in only unarmed civilians to arrange and monitor the referendum? Portugal wanted more than this, but Indonesia refused, and at that moment the Western governments were still not willing to pressure Indonesia to go any further. Portugal and the UN probably felt that it was better to get something rather than nothing and therefore accepted the conditions.

Indonesia seemed to be sending out mixed signals: on the one hand it offered East Timor its freedom, on the other hand it supported the militias. Why? Indonesia's elite was probably divided into at least two fractions. One was the military, which had taken East Timor and wanted to keep it. Many generals were also exploiting East Timor's resources so they also had economic reasons to hang on to the territory. Another fraction was a group of technocrats such as President Habibie. They considered East Timor as an embarrassment, a pebble in Indonesia's shoe, which Indonesia ought to get rid of as soon as possible.

The UN allowed the situation to get completely out of hand in August and September 1999. Why? The UN is as strong or as weak as the great powers want it to be. In 1975 the Western powers did not intervene because they wanted things to turn out as they did, i.e. they wanted Indonesia to take over East Timor, only they could not say so, because the invasion was in violation of international law and the UN charter. Maybe the Western powers wanted things to turn out as they did in 1999?

A pretext for intervention?

In September 1999 the Western countries cancelled all civilian and military assistance to Indonesia. The result was interesting: Indonesia caved in immediately. Why did the Western countries not use their power earlier? Human rights organisation feared that things would go wrong, because the Indonesian army was in charge of security during the referendum. I suspect the Western powers viewed the situation in a quite different light: they expected things to go wrong - even terribly wrong - so that they would have a pretext for a military intervention.

During 1999 the Western powers failed to intervene even though the situation was getting worse day by day. During these months the media were building an international opinion, which demanded an intervention: 'This is too much! Something must be done!' When the Western powers finally intervened in September they had the international opinion behind them, which is very important for Western politicians.

What are the prospects for an independent East Timor? Will there be peace and justice for the new nation? The starting point is more than difficult because of the extensive destruction caused by the pro-Indonesian militias and the Indonesian army. East Timor may become an international protectorate like Bosnia or Kosovo in the Balkans, where all essential issues are decided by international organisations such as the World Bank or the International Monetary Fund. If this scenario becomes a reality, East Timor will have its independence in theory but not in practice.

The road to independence took 25 years: from Portugal's carnation revolution in April 1974 to the historic vote in Indonesia's national assembly in October 1999. It was a long and bloody road. But the East Timorese fought for more than this. They also wanted freedom and justice. An important chapter of Timor's history ended with independence on 20 October. But the next chapter was just about to begin: the struggle for freedom and justice.

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Photo: Elaine Briere

A LONG AND BLOODY CONFLICT

East Timor is a former Portuguese colony, which was invaded by its neighbour Indonesia on 7 December 1975. Since then at least 200.000 people - almost one-third of the population before the invasion - have lost their lives as a result of war, starvation and disease. The occupation was in violation of twelve resolutions adopted by different branches of the United Nations: two from the Security Council, eight from the General Assembly and two from the Human Rights Commission in Geneva. But for many years, the UN did not do anything to enforce its resolutions.

The largest political party Fretilin, the Revolutionary Front for an Independent East Timor, was turned into a liberation movement after the Indonesian invasion in 1975. During the 1980's the resistance movement was transformed into an umbrella organisation comprising Fretilin and other groups. Today the umbrella organisation is known as CNRT, Timor's National Resistance Movement. CNRT fought on three different fronts:

1. The diplomatic struggle took place in exile.
2. The civilian population living under Indonesian occupation organised passive resistance.
3. Guerrilla soldiers, known as Falintil, conducted an armed struggle against the invaders.

Indonesia received diplomatic, economic and military support from most Western countries, especially the United States and Great Britain, and this support continued even after Suharto was forced to resign in May 1998.

One Western country (Australia) recognised Indonesia's annexation of East Timor, not only *de facto* but also *de jure*. In 1989 Indonesia and Australia signed an international treaty about the exploitation of energy resources of the Timor Gap, the ocean between East Timor and Australia.

As the former colonial power of East Timor, Portugal claimed the treaty was illegal and brought the matter before the International Court of Justice in the Hague. In 1995 the Court declined to give a verdict because Indonesia did not recognise the Court's competence to rule in the matter, but the Court insisted that the people of East Timor did have a right to national self-determination.

The Western media

The conflict was largely ignored by the Western media. Massive coverage did not begin until 1999. However, there was some focus on the problem from time to time:

Pope John Paul II made an official visit to East Timor in October 1989 during which some East Timorese staged a demonstration against the integration with Indonesia.

A massacre at the Santa Cruz cemetery near Dili in November 1991 was witnessed by several foreign reporters, some of whom were nearly killed by Indonesian soldiers.

In November 1992 the Indonesians captured Xanana Gusmao. In May 1993 an Indonesian court sentenced him to prison for life. Three months later, President Suharto intervened and reduced the sentence to twenty years in prison.

In mid-1994 Indonesia tried to stop the Asia Pacific Conference on East Timor (APCET) which a number of solidarity organisations wanted to hold in Manila, capital of the Philippines. Several foreign delegates were turned back at Manila airport, but the conference took place anyhow, and it received much more attention that it would have under normal conditions, because of Indonesia's attempt to stop it.

In 1996 the Nobel Peace Prize was awarded to two East Timorese nationals: diplomat in exile José Ramos-Horta and Catholic Bishop Carlos Ximenes Belo. 1996 was the 100-year anniversary of the Nobel Peace Prize. Obviously, the Norwegian committee was very careful when selecting the persons who were going to receive the prize this year.

Two interpretations

The Nobel event can be understood in two ways. One interpretation says that the Norwegian committee made a courageous decision. The Nobel Peace Prize gave the international solidarity movement a new legitimacy. It was an important step forward in the struggle for peace and justice on earth. The honour and prestige of the Nobel Peace Prize opened doors that would have remained closed without it.

Another interpretation says that the prize did not change anything immediately and that it came rather late for the Timorese. The East Timor conflict was a product of the Cold War, but the Cold War had ended in 1989 or 1990. The Norwegian committee was playing it safe when they awarded the prize to two Timorese six years after the Cold War ended. The prize would have been much more important if it had been awarded in 1986 or in 1976. But during the Cold War the East Timorese were ignored - not only by Western governments and Western mass media, but also by the Norwegian committee for the Nobel Peace Prize.

In July 1997, South African President Nelson Mandela made an official visit to Jakarta. During conversations with President Suharto, Mandela expressed a wish to meet with Xanana Gusmao, who at that time was still held in a prison cell. Because of Mandela's international prestige, Suharto could not refuse his wish, so Gusmao was taken from his prison cell to the president's guesthouse where he met with Mandela. Following this meeting Mandela declared that it was urgent to find a solution to the East Timor conflict.

The 1996 Nobel Peace Prize and Mandela's 1997 meeting with Gusmao can be seen as two important signals to the Indonesian government that the international community was not prepared to tolerate the brutal and illegal occupation of East Timor for ever.

SELF-DETERMINATION IN WEST PAPUA (IRIAN JAYA)

By John Otto Ondawame

Indonesia's 1963 takeover of West Papua, followed by the 1969 Act of Free Choice, has led to three decades of human rights abuses. But following the August referendum in East Timor, the West Papuan nationalist movement is speaking out for independence. On 1 December 1999, tens of thousands of people gathered in towns around West Papua, to raise the Morning Star flag. The first day of December is the anniversary of the 1961 declaration of independence by West Papuan nationalists against Dutch colonial rule.

Sandwiched between the Pacific islands and Southeast Asia, West Papua's struggle for independence from Jakarta has been long forgotten by the international community. But, despite this, the indigenous Melanesians of the western half of the island of New Guinea are determined to free themselves from the claws of Indonesian colonialism.

There is hope in the air. As the 20th Century begins to sink behind the horizon of time, it seems that Jakarta is losing control of some enclaves of the Indonesian archipelago. With the violent uprisings in Ambon and Aceh, Indonesia's President Abdurrachman Wahid will have a handful to deal with. Furthermore, the country's anaemic economy has weakened the government's capacity to deal with secessionist uprisings. For West Papuans, the brightest ray of hope was the August pro-independence referendum victory in East Timor. That, for members and supporters of the Organisasi Papua Merdeka (OPM) - the pro-independence movement - was a sign that West Papua could be the next in line to disentangle itself from Jakarta.

Indonesian colonial rule

In spite of their hopes, West Papuans are well aware of the difficulties confronting them. Because of its vast land area and rich mineral, forestry and other natural resources, it is unlikely that Jakarta will let go of this territory (which it calls Irian Jaya) without a fight. In the past three decades the Indonesian government has tightened its grip over West Papua by using military, social and institutional approaches. Since it took over the territory from the Dutch 35 years ago, Indonesia has promoted a systematic military subjugation of

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West Papuan Tokoni demonstrating on behalf of the Ministry of Interior, Jakarta, April 1999

this Melanesian enclave. Over the last three decades, many indigenous West Papuans have been killed, tortured and imprisoned by the Indonesian military. Many of those opposed to Jakarta's rule have either been forced to go into hiding in the jungles or are in exile overseas. This, however, is a war the international community knows little about. And, in instances where countries do know about Indonesia's atrocities, some have chosen to ignore it, sweeping it under the carpet because of their trade, military and diplomatic relations with Jakarta. Australia and the USA, for example, have been long aware of the atrocities committed by Indonesia in West Papua. Yet they have said little in international forums.

Politically, it has recently been suggested to divide 'Irian Jaya' into three administrative provinces: West Papua, Central Papua, and East Papua. This move was not only for administrative convenience, but also to divide and weaken West Papuans in their struggle against Jakarta. The other purpose of these provincial administrations is to cater for the government's transmigration program. This facilitates the resettlement in West Papua of Indonesians from crowded islands such as Java.

Socio-economic problems arise as the newcomers take control of the administrative power, take over jobs and create rapid demographic changes that pressure financial and natural resources. The end result is that West Papuans are marginalised in their own land.

Apart from the power of the Indonesian government, there is also the role played by foreign-owned (especially US and Australian) multinational companies whose interest in West Papua is in the exploitation of its natural resources. One such company is the US-registered Freeport McMoRan, which operates Freeport Mine in the Timika area of West Papua's southern highlands. In many ways these companies have colluded with Jakarta in the oppression of the indigenous people and have financed Indonesian colonialism in West Papua.

The West Papuan struggle for independence

But despite the obstacles, West Papuans have never given up their opposition to Jakarta. Led by the OPM, resistance has taken various forms, ranging from paramilitary confrontations to peaceful demonstrations. On 14 October 1999, for instance, more than 9,000 Papuans took part in a demonstration in front of Governor's official building at Port Numbay (Jayapura). The demonstrators urged the Governor to stop the establishment of the new administrative provinces. They called for limits on illegal immigrants from other parts of Indonesia, rejected autonomy as a solution for West Papua, asked Jakarta to address the violence committed by pro-Indonesian groups in East Timor, Ambon and Aceh, and called for the independence of West Papua.

With the events in East Timor following the August referendum, the world has hopefully come to realise the brutality and arrogance of Indonesian rule. It provides more reasons why the international community cannot sit back and watch West Papua go through the same bitter sacrifice as East Timor before it lifts a helping hand. Of particular importance is the responsibility of neighbouring Pacific island nations in voicing the West Papuan case in international forums. Although South Pacific Forum countries may individually be small in size, they have a collective voice,

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which is valued in international organisations such as the United Nations.

We, the West Papuans, hope that one day (with the help of the Pacific island nations and others) we will be able to fly our flag as a member of the South Pacific Forum. All we ask for is the opportunity to determine our own future.

As we reach out into the next millennium we would like to stress that although the world may have forgotten us, our struggle for independence will never be beaten. The final victory will be ours.

Raising the Morning Star

On 1 December 1999, tens of thousands of people rallied around West Papua to watch the Morning Star flag being raised in towns and villages around the country. The ceremony marked the thirty-eighth anniversary of the declaration of West Papuan independence from the Netherlands - soon to be crushed by Indonesia's takeover in 1963, and the 1969 Act of Free Choice.

The Morning Star flag was raised on 1 December 1961, at the time the country was still a colony of the Netherlands. After Indonesia's annexation in the 1960s, the Morning Star flag was banned. Throughout the 1970s and 1980s, Indonesian authorities opposed any use of this symbol of Melanesian identity and a desire for self-determination.

With the fall of the Suharto regime, the referendum on East Timor in August, and massive protests in Aceh, West Papuan nationalist sentiment is rising quickly. More people are no longer afraid to openly call for self-determination and independence, as shown by incidents in many parts of the country:

- In July 1999, five men faced court in Jayapura accused of subversion, after a flag-raising attended by 100 people on 1 July in Genyem (in the Nimboran sub-district near Jayapura).
- To protest Indonesia's decision to split Irian Jaya into three separate provinces, thousands marched in the capital Jayapura on 14 October and occupied the governor's office. Another thousand people marched in Nabire, while 350 marched to the office of the district head in Biak. One hundred West Papuan students even protested in Jakarta, outside the hotel where delegates of Indonesia's Parliament were staying.
- Thousands rallied in Merauke on 22 October, calling for independence and criticising the new provincial structure. (While the peaceful crowd gathered at the local Assembly, provocateurs attacked nearby government buildings, leading to Indonesian military intervention.)
- On 1 November, nine activists were put on trial in Sorong, charged with rebellion under Indonesia's criminal code.

NGOs call for peaceful protests

The Institute for Human Rights Study and Advocacy (IHRSTAD) in Jayapura issued a statement on 19 November 1999 calling for peaceful protests, noting that there are three basic factors leading people to raise the demand for an act of self-determination:

1. The international community, driven by economic and political interests, has for too long neglected the right of the West Papua people to self-determination following the unjust 'Act of Free Choice' in 1969...
2. Systematic abuse of human rights, the seizure of land and the destruction of the environment have resulted from militarism, transmigration and the exploitation of minerals during more than thirty years of integration with Indonesia.
3. The identity crisis of the Melanesian people is a result of the genocidal policies of the government.

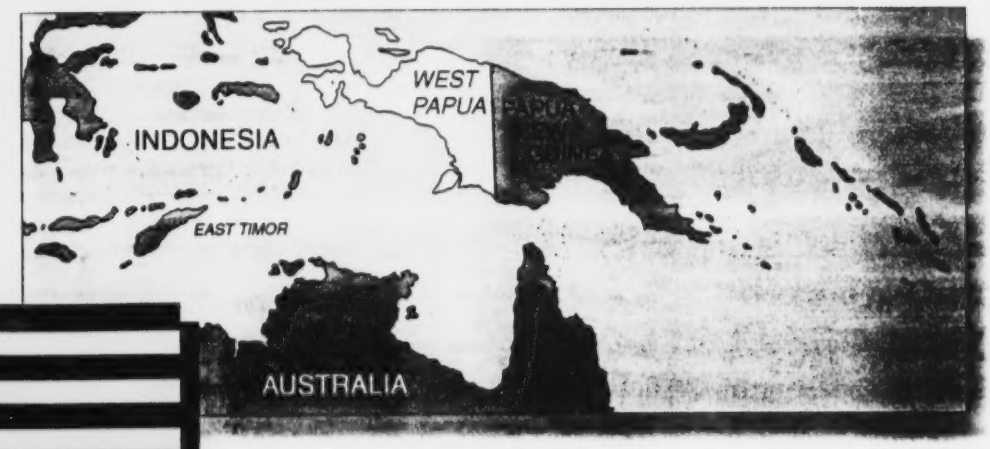
The statement goes on to outline challenges facing the West Papuan nationalist movement:

1. The widening gap between Papuan and non-Papuan people, resulting from the government's policies, has tended to inflame horizontal conflicts along ethnic or religious lines.
2. There has been a spontaneous upsurge of struggle by the people while at the same time there is a crisis of organisation, vision, strategy and co-ordination. The result is that it has been possible for outside forces to manipulate the movement...
3. The people's struggle is facing a leadership crisis. The movement has no clear structure, vision or direction. Various individuals have staked their claim to be the leader of the Papuan people without any democratic process. Various people have issued statements full of empty promises, competing with each other and claiming to have the support of the international community (the United Nations) or of certain countries. Yet as everyone knows, UN intervention anywhere in the world is guided by questions of state sovereignty and the economic and political interests of those countries that can exercise the veto and can exert an influence in the UN.

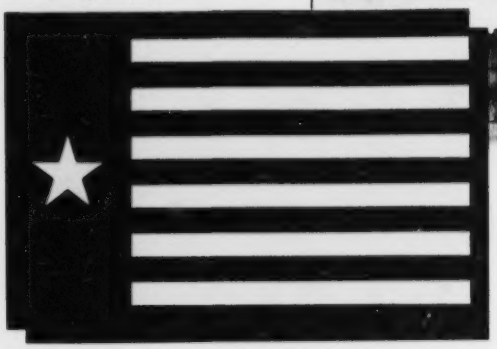
In the lead-up to the 1 December protests, West Papuan church and NGO leaders expressed concern that Indonesia would organise violent provocations on the day. They called for peaceful protest, worried that the Indonesian armed forces and intelligence services would use conflict in West Papua to intervene further, and also destabilise the new Indonesian government of President Abdurrachman Wahid. Rumours circulated widely that guerrillas from the Organisasi Papua Merdeka (OPM) would attack transmigrants in Arso and other border areas - even though OPM leaders in exile were calling for peaceful protests on 1 December.

Flag-raising near Freeport mine

In Timika, thousands of people gathered at the Catholic church and raised the Morning Star flag on 10 November. Timika is located near the Grasberg copper and gold mine operated by a subsidiary of the US Corporation Freeport McMoRan. In spite of



The Morning Star flag



Indonesian calls for the flag to be lowered, cultural groups from different communities established tents, and as the small encampment grew the walls of the church were plastered with posters, pro-independence slogans and the banned Morning Star flag.

Reverend Isak Onawame, a leader of the Timika protest, stated:

> *'We will not pull down the flag unless the government of Indonesia must agree to fulfil our following demands: Immediately recognise the independence of West Papua; agree to organise referendum in West Papua; resume talks between Team 100 and the government of Indonesia regarding the future of the people of West Papua; withdraw all Indonesian troops from West Papua; stop immigration program and engage new negotiations between Freeport Indonesia with the landowners; allow international independent humanitarian environmental monitoring groups, journalists and NGOs into the country to have free access.'*

On 12 November, speaking to thousands of supporters, Theys Eluay of the Irian Jaya Tribal Council called for flag-raisings around the country on 1 December (Eluay was appointed to his position by the Indonesian government during the Suharto era). He later met with the Indonesian military authorities, which replaced their opposition to flag-raisings with an agreement that flags raised on the morning of 1 December must be lowered by nightfall.

The Morning Star flag remained flying at Timika until 1 December, when Indonesian troops and police intervened. Fifty-five people were injured when the Indonesian forces opened fire on the crowd of about 2000 demonstrators.

Troops of Indonesia's armed forces TNI arrived in the morning of 1 December, blocking exits from the Catholic church compound where protestors have been rallying since November. Members of the National Police Mobile Brigade tried to disperse the crowd and lower the flag. TNI troops opened fire on the crowd, with at least 14 treated for serious injuries, including gunshot wounds, at Freeport's hospital, and another 41 injured taken to the Caritas hospital in Timika.

TNI soldiers arrested three key protest leaders: Reverend Isak Onawame, Guru Hiskia Mararabeam and Yosaefa Alomang (who has launched a court case against Freeport). Indonesian authorities at first denied that there had been any casualties, and then stated that people had been trampled in the rush when TNI soldiers fired warning shots in the air.

A day after the shooting at Timika, hundreds of people rallied at the site of the original protest. John Rumbiak, of the Institute for Human Rights and Advocacy reported: 'the people are angry, shocked and want change.'

At Nabire, in the northwest of the country, protestors armed with bows and arrows continued to fly the flag for days after 1 December, in defiance of Indonesian orders to lower it.

In spite of the upsurge in nationalist sentiment, Indonesia will be reluctant to let go of West Papua's oil, timber, gold and other natural resources. Indonesia has appointed a new TNI commander for the Trikora region (including West Papua), Major General Albert Inkiriwang. TNI spokesperson Major General Sudjarat stated that the flag-raising was within 'tolerable limits in the context of democracy', but the military will take strict action if there are further calls for self-determination.

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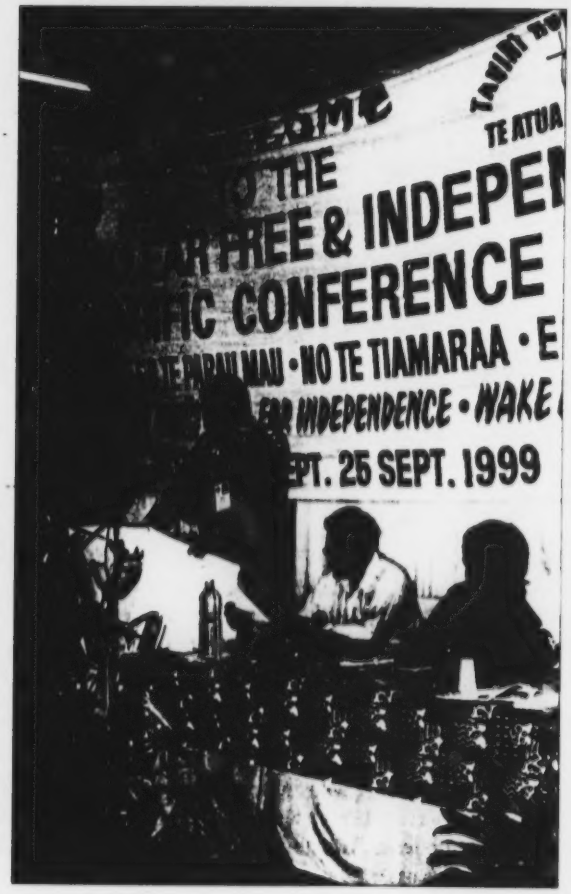

PCRC's director, Lopeti Senituli, addresses the 8th NFIP conference, 1999

PACIFIC CONCERNS RESOURCE CENTRE (PCRC)

The major regional NGO network in the Pacific islands is the Nuclear Free and Independent Pacific (NFIP) movement, with over 100 affiliated members around the Pacific islands and Pacific Rim. The NFIP movement involves indigenous peoples' organisations, independence movements, trade unions, environmental and anti-nuclear groups, women's associations, and a range of other non-government and community organisations.

The Pacific Concerns Resource Centre Inc. (PCRC) serves as the secretariat for the NFIP movement. PCRC's objective is to educate the peoples of the Pacific regarding their environment, political and economic equity, and justice and peace in their region.

PCRC acts as the regional secretariat for non-governmental and community organisations engaged in campaigning, advocacy, research and information. It works to co-ordinate participation in national, regional and international fora, especially on issues of sustainable human development, environment, demilitarisation, decolonisation, human rights, good governance, and land rights and sovereignty for indigenous peoples.

PCRC has Special Consultative Status with the United Nations Economic and Social Council (ECOSOC). PCRC staff have participated in, and organised Pacific NGO participants for, UN summits and international meetings (e.g. Vienna Human Rights Summit, Rio on Environment and Development, Barbados on Small Island Developing States, Cairo on Population, Beijing on Women). We monitor and organise around Platforms of Action and Declarations arising from these summits.

PCRC publishes a monthly magazine Pacific News Bulletin, and regular research papers, action alerts and other information bulletins. PCRC works with government, intergovernmental and non-government agencies through conferences, meetings, lobbying and information briefings. PCRC also produces a range of education and information resources (videos, books, and pamphlets) on issues of concern to the region and the international community. Media releases and campaigns information is available on the PCRC/NFIP website at www.pcrc.org.fj

NFIP members work within the framework of the Peoples' Charter for a Nuclear Free and Independent Pacific, and the resolutions and campaigns adopted at NFIP Conferences. Every three years, delegates from over 30 countries meet at these regional conferences, which commenced twenty-five years ago. The founding conference for a Nuclear Free Pacific was held in Fiji in 1975, with conferences following in: Pohnpei, Federated States of Micronesia (1978); Ka Pae'aina/ Hawai'i (1980); Port Vila, Vanuatu (1983); Manila, the Philippines (1987); Pawarenga, Aotearoa/New Zealand (1990); Suva, Fiji (1996); and Arue, Tahiti, Te Ao Maohi/French Polynesia (1999). The conferences set policy for the movement, and elect an eleven-member PCRC/NFIP Executive Board.

The PCRC / NFIP Executive Board is responsible for policy, staffing and overall management of the NFIP Movement. The current Executive Board, selected by the regional delegations to represent the sub-regions of the vast Pacific Ocean, includes representatives from Vanuatu, Tonga, Fiji, Te Ao Maohi / French Polynesia, Guam, West Papua, Japan, Aotearoa / New Zealand, Samoa, Rapa Nui and the First Nations of Canada.

Current program areas include:

1) Decolonisation
Campaigning on the right to self-determination, for countries that are listed on the United Nations Decolonisation Committee's list of non-self-governing territories, such as Guam, Kanaky (New Caledonia) and East Timor, and countries that are seeking re-inscription on the list, such as Te Ao Maohi (French Polynesia), Ka Pae'aina (Hawai'i), Bougainville, West Papua, Rapa Nui and the Moluccas.

PCRC works with indigenous peoples of the Pacific on the UN Draft Declaration on the Rights of Indigenous Peoples and for programs on Intellectual Property Rights and Indigenous Peoples' Knowledge. It supports campaigns on issues of sovereignty, self-determination, culture, land and resources for Pacific island and Pacific Rim peoples: Maori (Aotearoa), Aboriginal and Islander Australia, Cordillera peoples (the Philippines), Ainu (Ainu Moshiri, Hokkaido), Kanaka Maoli (Ka Pae'aina / Hawai'i); Native Americans; First Nations of Canada.

2) Sustainable human development
PCRC / NFIP looks at the effects of institutions and agreements at international, regional and national levels (i.e. how global policies of the World Bank, IMF, WTO, and regional agreements like SPARTECA[1], Lomé and the Forum Economic Ministers Meeting Action Plan impact at national and local level, through trade and investment, structural adjustment programs, privatisation and deregulation).

Together with the European Centre on Pacific Issues (ECSIEP) of the Netherlands, PCRC manages the PCRC / ECSIEP Lomé project, looking at decentralised co-operation and the renegotiation of the European Union - ACP Lomé Convention.

3) Human rights and good governance
PCRC supports initiatives on human rights and good governance, including:

- Good governance (including human rights education, good governance, mechanisms for popular participation, and pro-democracy movements in the Pacific)
- Human security
- Rights over indigenous knowledge and science
- Treaty rights and sovereignty issues
- Native title rights of indigenous peoples and customary landowners
- Women's rights as human rights
- The rights of young people and children
- The right to know: access to information, and opening colonial and military archives
- Media freedom
- Use of courts, media and other tribunals to publicise breaches of human rights
- Government accountability and transparency
- The right to organise (as churches, NGOs, unions)
- Health and human rights
- Legal literacy and human rights training for NFIP members
- Liaison with other human rights groups (including the proposed Pacific Centre on Human Rights)

4) Demilitarisation
Public education and campaigning on:

- Internal militarisation (Fiji, Tonga, Papua New Guinea, Solomon Islands, Vanuatu, East Timor, West Papua)
- Nuclear issues: the environmental, social and health effects of British, French and American nuclear testing in the Pacific islands, as well support to nuclear disarmament by all nuclear powers; Program for economic alternatives for radiation victims (Te Ao Maohi, Marshall Islands, Kiribati, Aboriginal Australia and Fiji veterans); Marshall Islands nuclear waste dump proposal; plutonium and high level waste shipments
- Review and strengthening of regional treaties, such as the Waigani Convention on the Transboundary Movement of Hazardous Wastes, and the Rarotonga Treaty for a South Pacific Nuclear Free Zone
- Withdrawal of foreign military forces and bases (including JACADS [2] and Kwajalein Missile Range)

5) Environment
Advocacy, lobbying and education programs on Pacific environment issues, in line with the Barbados Program for Action and Agenda 21:

- Deforestation, greenhouse effect, mining, tourism
- Convention on Biological Diversity
- Commission on Sustainable development
- Fiji Sustainable Development Bill
- Oceans, fisheries, reefs and seabed resources
- Persistent organic pollutants, PCBs, waste disposal

Notes

[1] Trade agreement between Australia and Pacific Forum island countries, allowing tariff free entry of certain goods.
[2] The Johnston Atoll Chemical Agents Disposal System, an incineration plant for US chemical weapons located on Kalama Island / Johnston Atoll. ❑

BANABAN ISLAND:

PAYING THE PRICE FOR OTHER PEOPLES' DEVELOPMENT

by Katerina Teaiwa

Banaba is the rock, the navel of the world. The white people called it Ocean Island. It rises out of the sea gently - Tabakea, the turtle, hovering underneath the surface. The turtle was buried there when the world first came to be and his descendants emerged from the darkness within the rock. The first being was a thought that grew and sprung from Tabakea's forehead - Nareau the spider. Nareau, Tituabine, Taburimai, Nakaa, Tewenei, Bakoa Anginimaeao and many others were the ancestors. Banabans were first 'anti aomata' before they became men and women. Half spirit, half animal.

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Over time many others landed on Banaba from islands to the East - Samoa, Beru, Tarawa, Tabiteuea ... They married the people on Banaba and their descendants now live on Rabi in Fiji. The rock of Banaba, though, lies scattered throughout the Pacific. Ocean Island travelled across the seas and fed the hungry settlers on other native lands. When it stopped feeding it was a dry, desolate hump in the sea, craggy pinnacles burning in the sun, leftover rubbish from the machines that ploughed the navel. But it did not die. Banaba and its history remain along, within, throughout all the routes travelled, blood mixed, bodies nurtured, sweat poured, tears shed, prayers offered for the survival of a people.

A cheap source of fertilisers

In 1900 the Australian and New Zealand colonies of the United Kingdom were growing rapidly. The expanding populations and industrial development demanded, like all emerging colonies, a large, efficient and productive agricultural base. Businessmen, administrators and politicians - who more often than not were the same men - were constantly on the look out for cheap sources of fertiliser to feed the hungry colonial populations. They found two such small islands to nourish the Australian and New Zealand lands - Nauru and Ocean Island, both in the Central Pacific Ocean.

Ocean Island used to be 1,500 acres (2,112 square miles) but 1,080 acres were mined for phosphate, and between 1900 and 1980, 20 million tons of Ocean Island were dug up, loaded on ships and carried away.

In 1946 a memorandum on *The Future of the Banaban Population of Ocean Island; with Special Relation to their Lands and Funds* by the Chief Lands Commissioner for the Gilbert and Ellice Islands Colony, H.E. Maude, made several recommendations for the preservation of the Banaban [race]. Maude found that as a result of the British colonial phosphate mining and Japanese occupation of the island during World War II, the Banabans *'...degenerated morally and physically, and that urgent measures are now indicated if they are not to sink into a state of indolence and apathy'* (Maude 1946:17). His three main factors for this degeneration were:

a) The growth of the phosphate industry, which has dislocated their traditional economy and turned them into a denaturalised race dependent for life on imported goods.

b) The lack of any sense of responsibility for the conservation of Banaban Funds [1] due to the fact that these funds are spent without any consultation of their leaders. Not knowing the true state of the funds, the Banaban is apt to regard them as limitless, and endeavours to divert as much money as possible to himself without any regard to the future of the community. Furthermore, far from feeling grateful for concessions, he has come to regard the Government as an enemy engaged in cheating him of his rights, but an enemy who can, at the same time, be outwitted by skilful bargaining.

Banaban man and woman 1900. Old postcard

c) The system of annuities, which has sapped his moral fibre turning him too often into a dole-fed hanger-on of the British Phosphate Commission.

The re-settlement

After World War II the remaining 750 Banabans together with 250 Gilbertese relatives and spouses were resettled by the British on Rabi Island in Fiji. Banaba was devastated by bombings and the British Phosphate Commissioners were eager to have the island clear of natives so they could resume mining activities. 1000 islanders landed on Rabi with a few army tents, rations for one month and without any knowledge whatsoever of their new volcanic environment, climate, Fijian culture or language. Though Rabi had no indigenous inhabitants, there were numerous Fijian villages along the coast of Vanua Levu, just a few miles away and directly facing the island.

Some Banabans had picked up agricultural skills serving the Japanese on Kosrae[2] but most were used to store bought food or fish. They were also quite unfamiliar with the rainy climate of Rabi and the first hurricane that hit was sheer terror. In the beginning years, Banabans had to scrap almost all their material, architectural and subsistence knowledge and figure out for themselves how to survive in Fiji. Their native houses were blown away by that first hurricane. The results of this rapid change have been culturally devastating and 'generationally' confusing. When phosphate revenues were high, the Rabi Council of Leaders (RCL) built concrete houses for most people but within two decades, most houses were dilapidated. At another high point, people began buying cars and boats but these too deteriorated over the years. Like Banaba, Rabi was lit up with electricity at one time but wires swung 'lightless' up to the 1990s. Rabi's 'progress' resembled Banaba's, mimicking its rapid move from 'primitive' to 'undeveloped' to 'developed' to 'undeveloped' to 'primitive.' One does not go to either Rabi or Banaba to observe the 'natural' process of civilization.

Pity on the people

A popular theme for the resettled population was one of 'pity.' Pity for abandonment by the British, pity for loss of land - the foundation of all identity - and pity for the money they weren't receiving from colonial exploitation. *E kawa te aba* means pity on the people, pity on the land, pity on us. The 'How Pity' song and dance is performed every year on December 15th to commemorate the first landing of the Banaban people in Fiji in 1945. It serves as a constant reminder for the generations born and raised on Rabi of their sad history.

A goal that had united people until the early 1980s was monetary reparation for the mining of Ocean Island. Since Banabans no longer lived on the land they were deprived of, they sought money as a direct substitute for phosphate. Land on Banaba was the basis of all identity and kinship relations. Like blood it bound people together. The removal of this land and then the removal of the Banabans from this land created a double rupture in the foundation of Banaban existence. Today one would find that all cultural knowledge from Banaba is so highly contested within the community that it is rarely discussed, especially with younger people.

Banabans knew that the British, Australians and New Zealanders had saved themselves a major expense in agricultural development by securing cheap fertiliser from Nauru and Ocean Island. Banabans also knew that Nauru gained independence and Nauruans got to live on their land and that Banabans gained neither right. The people also suspected that Nauruans received better compensation for lands leased to the mining company and felt that the United Kingdom as the moral power to whom they were charged, would ensure their welfare after mining stopped. When it became apparent that the British were more inclined to leave Banabans to fend for themselves on Rabi, the Council of Leaders began to seek international support for their claims. When they went to the United Nations Committee of 24 in 1968 they were sympathetically informed that the United Kingdom had 'territorial integrity,' and sorry but the UN could do nothing for them. Nauru, on the other hand, as a former territory of Germany had particular international rights.

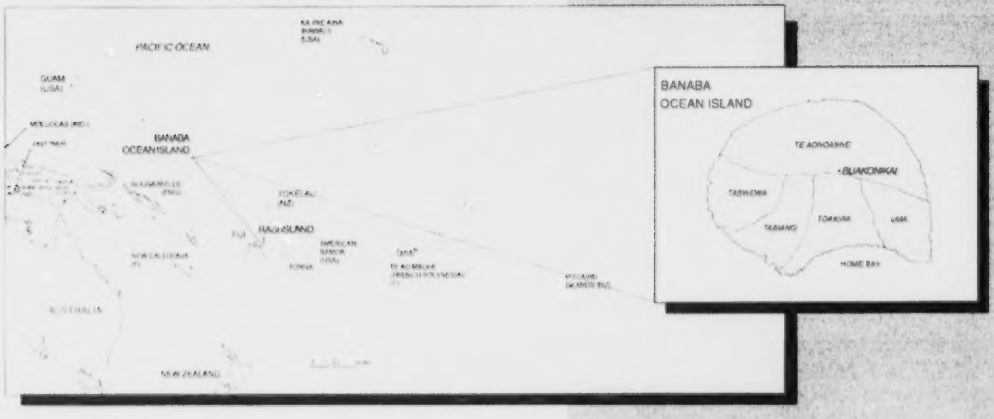
The court case

In 1971 a £120 million writ was filed by the Banabans against the British Phosphate Commission (BPC) and the Attorney General of the UK. So started the longest court case in the history of the British High Court.

The action was divided into two parts. Ocean Island No.1 was against the BPC - with the Attorney General as defendant - for breach of contract over land leases, specifically with regards to replanting trees and shrubs. Ocean Island No.2 against the Attorney General was over underpayment of royalties. Many landowners travelled from Rabi to give testimony and the entire judicial party made a trip to Ocean Island to see the land for themselves. In 1976 Judge Megarry found the Crown guilty of moral negligence but innocent in a strictly legal sense (Ghai 1987). The judge was basically saying that the British Colonial administration had not looked after the Banabans properly but that this, under law, did not entitle Banabans to any specific monetary rights. In Ocean Island No.2 Megarry suggested compensation of 75 Australian $ per acre. In 1977 the community was offered an ex-gratia payment of Aus$ 10 million with the stipulation that the issue never again be raised legally with the BPC and £1 million from the Crown for 'development' purposes. The $ 10 million were invested as a trust fund in banks in Australia, London, Copenhagen and Paris. The interest accrued was used to run the Rabi Council of Leaders which in turn managed island affairs. The $ 10 million were to be treated as fixed capital so that the 2500 Banabans on Rabi always had communal income.

Up until this point, Rabi had 'developed' at a rapid rate. There was electricity in at least three villages, running water, telephones and cars. Banabans had a reputation for having lots

Iapiwa natives, 'King's' village. ***Ocean Island 1900. Private photo***



of money to throw around. The staple diet was the BPC diet of corned beef and rice (today a luxury). Little investment was made in education as it was assumed the phosphate money would be around forever. The background to this thinking included community-wide faith in Christian justice, faith in the superiority of western material development and feelings of cultural superiority over those whose land did not yield them money the way Ocean Island did. These moments of high community esteem would vanish at times when intense consumption landed people in debt trouble, or when an ambitious economic venture went wrong or when something reminded people of how much money they weren't getting from the mining.

Post colonial realities

In 1989 Aus$1,169,870 was withdrawn from the capital sum and transferred into several smaller accounts in Suva, Savusavu and Sydney. From this year onwards, money was moved from one account to another quite rapidly with vast amounts disappearing into expenses no council member could remember. In December 1991 the people of Rabi Island gathered in the main town of Nuku and voted to throw their Council out of office due to financial mismanagement.

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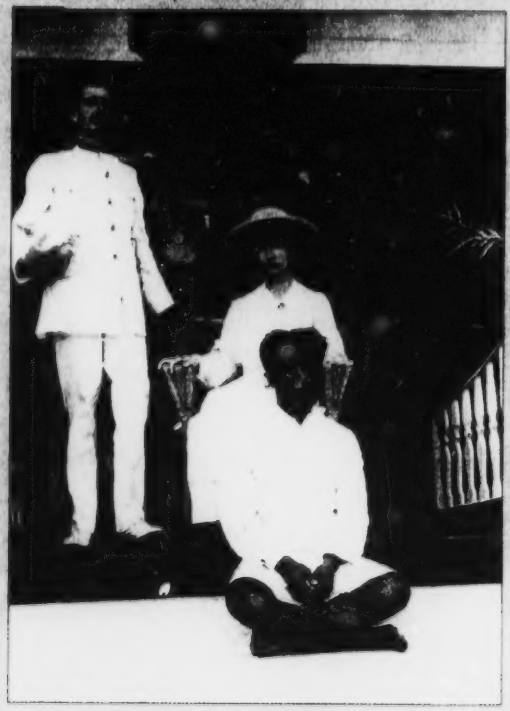
Launching main buoys at Japiwa moorings, Ocean Island 1908. Private photo



Resident Commissioner E.C. Eliot and his wife, ca. 1910. Private photo

Several representatives of the RCL on the island at the time were violently attacked. In 1992 the Fiji Government officially dissolved the Council and appointed three interim administrators to look after the welfare of the Banaban people. None of the administrators were Banabans.

The generation gap

Up till the late 1980s, when the adult generations on Rabi either still had first hand memory of Banaba or enough influence from their elders to make it priority, land rights and monetary compensation were the ultimate political goal. To an extent the younger generations - Rabi Islanders - and their needs in Fiji were neglected. This has caused a vast generation gap between younger people who are more interested in surviving on Rabi and elders who continuously bring up Banaba issues.

The situation is co nplex because although Banabans have a moral and historical right to stay preoccupied with what happened on their original homeland, the economic and environmental demands on Rabi are equally pressing. It could be said that the younger generations, having grown up on a volcanic island and engaging in agricultural activities that none of their ancestors practised, are much less interested in or connected to phosphate, phosphate royalties or Ocean Island.

In December 1996 the island held elections for a new Council to take over from the administrators. For the first time, the Chairman, John Teaiwa (who is my father) was selected by the

whole island, rather than by the winning village representatives. They voted into office a Banaban man who had not lived on Rabi for over thirty years, but who was, ironically, devoting his life to the agricultural industry of Fiji. The younger generations hoped that the new Chairman would be more objective about politics on Rabi and focus attention on community survival in Fiji. The fight for Ocean Island rights by their parents and grandparents seemed to have got the people nowhere and the corruption within the previous Council of Leaders had to be stopped. The people of Rabi wanted a leader that approached Banaban interests at the community, rather than personal, level.

Visit to Banaba

I traveled for the first time to Ocean Island for a week in July 1997 with my father and the Secretary to the Rabi Council of Leaders (RCL). We first flew from Suva in Fiji to Tarawa in Kiribati. There is a government supply boat to Ocean Island from Tarawa once a month so we had to charter our own.

My uncle and four of his six children still live on Banaba as a result of the return of about sixty Banabans from Rabi in 1975.This repatriation was specifically to establish a Banaban presence on the island in support of the separation movement from Kiribati. This move also caused the early closure of the mining operations of the British Phosphate Commission (BPC) in 1979. Many of the Banabans then returned to Rabi and those who stayed were employed by the Rabi Island Council to maintain Banaban representation on Ocean Island and look after the fixed assets of the BPC. These reverted to the RCL while all moveable assets belonged to the Kiribati government. Today, the total population is approximately 300 including Gilbertese government workers. The Banaba Island Manager is both the administrative and political representative of the RCL.

The journey to the island is normally a day and a half but we took almost three. One of the engines broke down several times and the boat was overloaded with passengers trying to get back to the island as well as heavy supplies.

Banaba rose out of the horizon on the third day like a solitary, overturned canoe hovering at the ocean surface. We could see it was very green, even from far away and this was comforting, as I had expected nothing but craggy pinnacles and rocks. We weighed anchor just inside Home Bay at Ooma[3] and I could see people sitting against the cement wall of the old phosphate jetty. Near the shore were large, rusted remains of the iron cantilever that carried phosphate from the island to waiting ships. These ruins rose about forty feet above the sea, some parts precariously tilted as if they would crash into the water at any moment. The people watching the boat, as it pulled in, did not wave and few moved from their sitting positions.

We were taken up the hill to 'Ellis House,' named after Albert Ellis who discovered the phosphate in 1900. This is a large, double-story colonial style, wooden structure with peeling paint, rotting in some places. The Banaba Manager lent us his wooden chairs to sit on, remains of the company furniture that once belonged to white staff members. After tea, we went down to the *maneaba* for our official welcome. Many different kinds of food had been prepared and displayed very colorfully. The residents plant several kinds of fruit and root crops that need little maintenance when rain is frequent. There is also a lot of fishing and diving for seafood. The welcome included several dance performances very similar to the Rabi styles. We were told however, beforehand, that we would have to go to another separate welcome later because there were two political factions on the island, not speaking to each other.

Political tensions

The political tension on Banaba was the main reason for my father's trip. The problems are complex but mainly center around competition for administrative and political power.[4] The Manager's position in particular is highly contested. In the early 80s after the Rabi Council accepted Kiribati's independence and Constitution it agreed to nominate a representative to the Kiribati Assembly. Banaba then became a constituency of its own. Two Banaban MPs sat in parliament, one from Rabi, and one from Ocean Island. These positions also became highly contested. Between 1992 and 1996, while Rabi was under interim administration after the dissolution of their Council, a Banaba Island Council (BIC) was created to facilitate development for the island. The members were elected and appointed with one Chief Councilor. All members were Banaban and employees were also Gilbertese. Since 1992, then, there were two administrations on Banaba, one taking directives from the Kiribati government (the BIC) and the other from the Rabi Council (the Manager). The BIC, however, is paid by the RCL and so its members act as both bosses and subordinate under two different 'masters'. The problem worsened when the Manager became an MP, increasing his power politically and administratively.

One faction supports the Manager and the RCL and the other the BIC. Each side constantly accuses the other of mismanagement and corruption. Tension often erupts in violence and vandalism. A major contributing factor to the continuing divide is a lack of leadership competence on both sides and refusal to discuss the problems. Banabans are a highly egalitarian people and there is always simultaneous suspicion of and competition for positions of power. There is a 'caged', isolated feeling on Ocean Island, it being so far from both the Gilbertese group and Rabi. These tensions contrast rather starkly to the nostalgia and 'longing for homeland' rhetoric being circulated in some of the media.

Ruins of Industry

In 1997, there were two working vehicles on Banaba - a supply truck for water, and a small jeep for hire and transport of passengers. There were also about three or four motorbikes and on the second day my uncle took me for a ride on one of them to various parts of the island. The first place we went to was the old powerhouse where all the turbines and engines once ran the electricity. It was very dangerous looking with glass, nails, and

bits of iron, wires and assorted machine parts strewn all over the floors. My uncle strolled around this large dilapidated structure without shoes. He showed me another building where the phosphate was brought by tramline to be pounded and stored. This was also heavily rusted and piled high with metal waste.

We continued around the island passing the old laborers quarters. These were ghetto-style buildings with rows of tiny rooms and bathrooms. Most had no roofs or windows and from the road we could see straight to the toilet bowls. This road that links Tabwewa to Ooma and Tabiang [5] was lined with electricity poles and swinging wires. We also passed various tractors and trucks partially hidden in the foliage that has now sprung forth from between pinnacles of coral and old buildings. At Tabwewa was the old Catholic church. This remains intact and well cared for. The next day I went with another Banaban girl to visit the cemeteries. She wanted to show me where her mother and father were buried. There was a European cemetery, a Kanaka [6] cemetery, a Chinese cemetery, a Japanese cemetery, and a Banaban cemetery. My father and I then went to our second welcome at Tabwewa. They also had their own dancing group which included a set of drums and cymbals as percussion.

The next day I saw the playing field at the top of the plateau near where Buakonikai village used to be. I also saw the clinic and several other settlements including the office where the Kiribati government representatives work. This is the old recreation club and an empty pool and overgrown tennis and basketball courts can be seen on the grounds. Most of the Banabans live in concrete houses left over from company occupation. Families usually sleep in one room lit at night with kerosene and benzene lamps. I did not see any toilets except in 'Ellis House' and 'Banaba House' which is the official guesthouse. There is one store on the island that sells basic supplies and fuel. There is also a primary school near the harbor but older kids have to go to Tarawa for high school. One large house we visited had a VCR and screen run by a kerosene generator and we watched an old videotaped program of World Cup Rugby on *Fiji One*.

Political isolation

In all the academic literature on Banabans, what little there is, in all the media coverage [7] of the Banaban rights movement, you will not come across any linkage of Banabans with other indigenous groups. You will not find Banabans at any time in history, discussing and sharing around a table with other dispossessed natives and you will not find them at a conference on indigenous rights. During the battle in the 70s for compensation and independence from the Gilbert and Ellice Islands they were supported by the then Fiji Prime Minister, Ratu Sir Kamisese Mara. This was particularly with efforts towards independence but they did not consistently seek his advice in terms of financial affairs. This led to the Banabans political isolation and ignorance from the Fiji Government later on.

There are many historical, political, cultural, environmental reasons for a lack of networking. Some of them include the population size (which is currently 5,000 and far smaller than other indigenous groups) and the lack of educational opportunities for Banabans. From the 1940s to the 70s, most people, who studied past the high-school level were men, some of whom went into Protestant religious institutions and became church ministers. In the present, few students enter the University of the South Pacific to study history or politics and most young people are at the Fiji Institute of Technology in technical programmes.

The Banabans themselves usually consider themselves politically autonomous, except when it comes to aid and assistance or when they cannot fix their internal problems themselves. Legally, the Banabans are provided for under Fiji law in the Banaban Settlement Act (Chapter 123 Fiji law). Since the 1991 coup, this act has been amended to prevent further corruption within the Council. Though they have lived in Fiji for over fifty years, you can hear people referring to themselves as 'our race' and the island as 'our country' – as if Rabi was not a part of Fiji. This may not make sense to some, but it is true that Banabans operate ideologically and culturally on several planes, in several spaces at the same time. This has been truer at some historical points than others. Race is not defined by blood quantum, but a drop of Banaban blood or adoption is necessary for identity. Politics can operate at the village, church, household, island or national level simultaneously. It can play out in the past, present or future. This has made for very complex social organisation and few 'outsiders' would fathom the extent of this complexity.

Although I am a Banaban by blood and the daughter of the current Chairman of the RCL, I recognise the problematics of Banaban history and politics. The Council today is struggling to make up for all the mess left behind by the 1991 members and even still, many people on Rabi do not appreciate efforts in the best interest of the community as a whole. They are sceptical of authority in general and many older members still believe that any money held by the Council rightly belongs to them. Within the climate of decolonisation in the Pacific and the efforts towards indigenous rights by other native peoples who are not 'postcolonial' yet, the Banaban context serves as an example to illustrate the very real difficulties faced by a 'self-determined' people.

People around the world continue to express interest in Ocean Island, many of them born there or with parents and grandparents who worked for the company. Most Banabans do not wish to return to the island to live but the community maintains very salient and often embodied links to it through memory, theater, political and cultural activities. *Te aba* is both land and people, so Ocean Island will not disappear from Banaban identity no matter how far away in time or space. But this being so, the remaining ruins of so called universal 'civilization' and 'industry' on the island are also poignant metaphors for the damage to a people caused by Western Colonialism, Capitalism and other peoples' Development.

Notes

[1] Maude refers in b) and c) to payments made by the phosphate company to landowners for the lease of their lands. This money, however,

was paid directly to the colonial administration, put into a "trust fund" and distributed later or exchanged for goods. It was not until 1945 after the Rabi Council of Leaders had been created that the Banabans were given direct control of the funds.

2 Kosrae island is today one of the states within the Federated States of Micronesia

3 The villages on Rabi are named after the sites on Ocean Island. Therefore, you will find an Ooma, Tabiang, Tabwewa and Buokonikai on both islands. Ooma, however, is spelt Uma on Rabi.

4 The description of the conflict is as related by my father, John Teaiwa, Chairman, Rabi Council of Leaders.

5 In the archival literature these are Tapiwa, Tapiang and Puakonikai.

6 "Kanaka" was a term used by the Pacific Islands Company, the Pacific Phosphate Company and the BPC to describe the Gilbertese and Ellice Island workers who were recruited to mine both Ocean Island and Nauru. Japanese workers were also used in the first decade starting 1900 and then Chinese workers were used thereafter. They were called "coolies." Many of the workers died from disease and a fair share of work related accidents. In 1945, one hundred of them, left behind by the Company and British colonials, were lined up on the edge of a cliff and shot by the Japanese occupation forces on Ocean Island after America ended World War II.

7 Several television and radio programmes have been created about the Banaban situation: *Go Tell it to the Judge* (BBC, 1975); *Missing Paradise in the Pacific* is a documentary by Japanese National Television shot on Banaba in 1996/97; and *The Homecoming* is a documentary by the Open University in England about a separate journey back to the island in 1997. There is also an Australian "Sixty Minutes" programme called *Exiles in Paradise*, mainly about Rabi (1993) and a Foreign Correspondent Programme by the Australian broadcasting Commission called *The Banabans* (1995).

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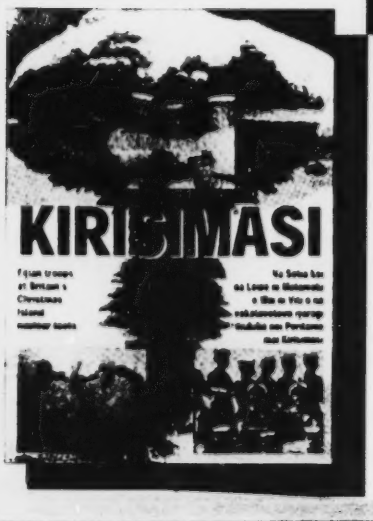

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GLOBALISATION: IMPACT ON SMALL ISLAND STATE ECONOMIES

By Fata Koroseta To'o

Through the Forum Economic Minister's Meeting (FEMM), a new economic orthodoxy is impacting Pacific island nations. Similar to the wave of neo-liberal orthodoxy affecting Africa, Asia and Latin America, there have been a range of structural adjustment and 'reform' programs in countries such as Vanuatu, Papua New Guinea, the Marshall Islands, Fiji, the Cook Islands and Samoa.

Pacific peoples have many concerns relating to political independence and freeing colonised peoples from the chains of colonialism as well as maintaining the Pacific as a nuclear free region. This article is an attempt to remind and make us ready to counter a force that has always been around. We have not been able to see its subtle penetration destroying our values and in turn reinforcing a more devastating and dangerous wave of neo-colonialism.

Globalisation is de-localisation, which is the uprooting of activities and relationships from local origins and cultures. It means the displacement of activities that until recently were local, into networks whose reach is distant and/or worldwide. Anthony Giddens sums it up by saying that globalisation is the intensification of worldwide social relations, which link distant realities in such a way that local happenings are shaped by events occurring many miles away or vice versa.

In the Pacific, we have seen governments blindly following the austerity measures imposed by international financial institutions such as the International Monetary Fund (IMF), the World Bank, the World Trade Organisation (WTO) as well as other economic trade blocks promoted by the Lomé Convention and other agreements. It is taken as the 'best' medicine but without realising the dangers that globalisation brings to society.

SAPs as economic genocide

Since, the early 1980s, the macro-economic stabilisation and structural adjustment programs (SAP) imposed by the IMF and the World Bank on developing countries (as a condition for the renegotiation of their external debt) have led to the impoverishment of hundreds of millions of people. Contrary to the spirit of the Bretton Woods agreement, which was predicated on economic construction, and the stability of major exchange rates, the SAPs have contributed largely to destabilising national currencies and ruining the economies of developing countries that include the Pacific nations.

Structural adjustment is conducive to a form of 'economic genocide' which is carried out through the conscious and deliberate manipulation of market forces. Historically, its social impact is devastating. SAPs affect directly the livelihood of more than four billion people. The application of SAPs in a large number of individual debtor countries favour the 'internationalisation' of macro-economic policy under the direct control of the IMF and World Bank acting on behalf of powerful financial and political interests (e.g. Paris and the London Clubs, G7). This new form of economic and political domination - a form of 'market colonialism' - subordinates people and government through the seemingly 'neutral' interplay of market forces.

At no time in history has the 'free' market - operating in the world through the instrument of macroeconomics - played such an important role in shaping the destiny of 'sovereign' nations.

Internal purchasing power has collapsed, famines have erupted, health clinics and schools have been closed down, and hundreds of millions of children have been denied the right to primary education. In several regions of the world, including the Pacific, reforms have been conducive to a resurgence of infectious diseases including tuberculosis, malaria and cholera. While the World Bank's mandate consists of 'combating poverty' and protecting the environment, its support for large scale hydroelectric and agro-industrial projects has also speeded up the process of deforestation and the destruction of the natural environment, leading to the forced displacement and eviction of several million people.

In the aftermath of the Cold War, macro-economic restructuring also supports geopolitical interests. Structural adjustment is used to undermine the economy of the former Soviet bloc and dismantle its system of state enterprises. Since the late 1980s, the IMF/World Bank 'economic medicine' has been imposed on Eastern Europe, Yugoslavia, former Soviet Union, and in Pacific countries like Papua New Guinea and New Zealand, with devastating economic and social consequences. These consequences have included unemployment, low wages and the marginalisation of the large sectors of the population. Social expenditures are curtailed and many of the achievements of the welfare state are repealed.

Since the 80s, the impact of structural adjustment, including the derogation of the social rights of women and the detrimental environmental consequences of economic reform, has been well documented. While the Bretton Wood institutions have acknowledged the social 'impact of adjustment', there has been no change in policy direction. In fact, the IMF-World Bank policy prescriptions (now imposed in the name of poverty alleviation) have become increasingly harsh and unyielding.

Role of Global Institutions

Global institutions play an important role in the process of restructuring national economies. The ratification of the GATT Agreement and the World Trade Organisation (WTO) formation in 1995 mark a landmark in the development of the global economic system. The WTO's mandate consists of regulating world trade to the benefit of the international banks and the transnational companies (TNC) as well as 'supervising' the enforcement of national trade policies. The GATT Agreement violates fundamental people's rights, particularly in the areas of foreign investment, bio-diversity and intellectual property rights.

In other words, a new 'triangular division' of authority has unfolded, based on collaboration with the IMF, World Bank and the WTO in the 'surveillance' of developing countries' economic policies. The completion of the Uruguay Round saw the emergence of a new trade order, which now redefines the relationships between the Washington-based institutions to national governments. IMF and the World Bank policy prescriptions no longer hinge solely upon ad-hoc country level loan agreements (which are not legally binding documents). Many of the SAP clauses such as trade liberalisation and the foreign investment regime have become permanently entrenched in the WTO articles of agreement. These have become the foundations for policing countries and enforcing conditionalities according to the international law.

Debtor countries are blacklisted if they do not conform to IMF performance targets. 'Parallel government' government that bypasses civil society is established by the International Financial Institutions (IFIs).

Central Banks and Ministries of Finance are reorganised, often with the complicity of the local bureaucracies. State institutions are undone and 'economic tutelage' is installed. While adopted in the name of 'democracy' and 'good governance' the SAP requires strengthening of the internal security apparatus. Political repression - with the collusion of the Third World elites - supports a parallel process of economic repression. Consequently, the Third World has experienced a situation of local desperation and the hopelessness of a population impoverished by the inter-play of market forces. One only has to look at riots in Caracas in 1989, Morocco 1990, Mexico 1993 and Papua New Guinea in the early 90s to name a few examples.

National economies destroyed

The restructuring of the world economy under the guidance of the IMF/World Bank increasingly denies individual developing countries the possibility of building a national economy: the internationalisation of macro-economic policy transforms countries into open economic territories and national economies into 'reserves' of cheap labour and natural resources. The application of IMF 'economic medicine' tends to further depress world commodity prices because it forces individual countries to simultaneously gear their national economies towards a shrinking world market. At the heart of the global economic system, lies an unequal structure of trade, production and credit, which defines the role and position of the developing countries in the global economy.

By the turn of the century, the world population will be over six billion, of which five billion will be living in poor countries. The rich countries with some 15 per cent of the world population control close to 80 per cent of total world income. In contrast, some 56 per cent of the world population representing the 'low income countries' (including India and China), with a population of over three billion people, received approximately 5 per cent of the total world income in 1993, less than the GDP of France and its overseas territories.

The Pacific experience - New Zealand

The new liberal experiment in New Zealand is the most ambitious attempt at constructing the free market as a social institution to be implemented anywhere this century. It is a clearer example of the costs and limits of reinventing the free market in the late 20th century context than the Thatcherite experiment in Britain. Among the novel effects of neo-liberal policy in New Zealand has been the creation of an underclass in a country that did not have one before.

The New Zealand experiment is the free market project in laboratory conditions - uncompromising neo-liberal ideology animated a program of radical reform in which no major political social institution was left unreconstructed. One of the world's most comprehensive social democracies became a neo-liberal state. New Zealand society underwent a correspondingly profound metamorphosis. The consequences and hazards of the New Zealand experiment are instructive, not to say ominous.

The New Zealand experiment was very much similar to the structural adjustment programs forced on the governments of developing countries as a condition of credit from transitional international institutions. But New Zealand was not a third world country - it was an advanced social democratic state. Traditions of state intervention in the economy to protect social cohesion were more deeply entrenched in New Zealand than in any other western country, with the exception of social democratic Sweden.

In New Zealand, as in the UK, the sudden growth of the underclass is a textbook example of the manufacture of poverty by the neo-liberal state. Beyond the growth of the underclass, New Zealand has experienced an astonishing growth in economic inequalities of all kinds. The bargaining power of employees in relation to employers was considerably reduced by legislation imposing individual contracts on the labour market. At the same time, reductions in marginal levels of income taxation were implemented, affecting particularly those at the top. The result was that income was that income inequality increased in New Zealand more than in any other western country.

The principal cost of New Zealand experiment has been a loss of social cohesion. Its political aftershock has been a meltdown in which the electoral system was repudiated and all the major parties have fragmented. The effects of market fundamentalism in New Zealand may well be tempered over the next few years. Nearly all New Zealand political parties will publicly abandon neo-liberal rhetoric. Politicians will repudiate the disregard of economic fundamentals for social stability. Criticism of the excesses of the neo-liberal experiment in New Zealand will become an integral component of a new political consensus.

Conclusion

The economies of small island states are so vulnerable to globalisation that their political independence in the long run will be controlled by the more powerful and ruthless TNCs. The power of the state diminishes and leaving the socio-economic fabric of society in a robotic and controlled medium. As they say in Samoa: 'Ua puleesea lo ta ola' - (our destiny is controlled by others) and this time by market forces whom humanity and emotions cannot feel.

Let us take stock of where we are and how we chart our course into the new millennium. Let not the wealth carrot seduce us to political manipulation and divide us from the course of freedom. The Pacific people have survived for thousands of years and we can sustain that by sticking to the realities of living in our cultural strengths - there, the economic of survival and prosperity is enhanced by being free on one's land.

Soifua ma ia Manuia! Good wishes and good health!

Fatai Koroseta Fe'o'osa matai *chief) from Samoa and has been* [illegible] *activist in trade unions and non-government organisations in the Polynesian nation.*

REGIONAL FISHERIES IN THE PACIFIC –COOPERATING TO PROTECT MARINE RESOURCES

by Sandra Tarte

Pacific island nations are often presented as reliant on overseas aid. But the Exclusive Economic Zones of the island nations are host to significant mineral and marine resources. For Pacific peoples, the control and exploitation of these resources is a major issue in creating a sustainable economic future for small island developing states.

Collectively, Pacific islands states have jurisdiction over more than 30 million square kilometers of ocean. Under international law of the sea, which recognizes the sovereign rights of coastal states to resources within their 200-mile exclusive economic zone, Pacific island states also have jurisdiction over a vast resource – the world's largest undepleted stocks of commercial tuna. This resource is of major economic importance to the Pacific islands, being the only significant source of income and basis for future economic development for many countries of the region.[1] But to ensure that these stocks are harvested at sustainable levels, Pacific island states need the cooperation of the major distant water fishing nations, who traditionally have exploited the tuna fisheries of the region.

Exploiting the tuna stocks

About one million tons of tuna are caught annually from the waters of the western and central Pacific; 90% by fishing fleets from Asia (mainly Japan, South Korea, China and Taiwan) and the United States. This catch has a landed value of about $1.7 billion, and accounts for about one third of the total world tuna catch. The region produces about 60% of the world's canning tuna and is the source of about 30% of the fresh tuna imported into Japan, the world's largest fresh tuna market. Of the four major tuna species in the region (skipjack, yellowfin, bigeye and albacore), the most abundant is skipjack, mostly harvested by purse seine vessels. An average of 80% of the purse seine catch is taken from within the exclusive economic zones (EEZ) of Pacific island countries.

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While the tuna stocks are believed to be currently exploited at sustainable levels (there is some uncertainty and concern about bigeye), it is accepted by both fishing nations and Pacific island countries that measures need to be put in place to ensure long term conservation and management of the resource. As a highly migratory species, the same stocks of tuna are harvested both within EEZs and on the high seas, in areas beyond national jurisdiction. Thus countries cannot individually manage and conserve these fisheries.

International law of the sea recognized this by stipulating a 'duty to cooperate' on the part of both fishing nations and coastal states, in order that management and conservation measures implemented within EEZs by coastal states and those implemented on the high seas are compatible. The same or similar measures should apply. Such cooperation should be carried out directly between countries, or through regional fisheries management bodies.[2]

This article describes the initiatives to promote cooperation between Pacific island countries and distant water fishing nations, and highlights some of the main problems and conflicts that have marred these efforts. This analysis is divided into two periods: from 1979 to 1994, when the emphasis was on regional cooperation to manage fisheries within the EEZs of the Pacific island states; and since 1994, when the emphasis shifted to more broad-based cooperation, extending to the wider western and central Pacific region and beyond.[3]

1979-1994: Asserting sovereign rights within EEZs

The declaration of 200-mile EEZs by Pacific island states began in the late 1970s, in line with developments at the Third United Nations Law of the Sea Conference. To facilitate the management of the fisheries resources within their EEZs, Pacific island states established the South Pacific Forum Fisheries Agency (FFA) in 1979, with headquarters in Honiara, Solomon Islands. On the issue of broader cooperation with fishing nations as required under international law, the FFA convention recognized the need for 'additional machinery' in the future. However, Pacific island states maintained that it was their 'sovereign right' to manage and conserve tuna resources within their EEZs.

This position conflicted with that of the major distant water fishing nations, who had an interest in securing access to the region's tuna wealth. While the US actively encouraged its tuna fleets to fish within the EEZs of the region without paying license fees, Japan exploited its dominance in the region (as an aid donor and fishing nation) and negotiated access agreements on highly favorable terms and conditions, paying minimal access fees.[4] Both countries denied that Pacific island states had the right to manage and conserve tuna resources within their economic zones, and actively campaigned for a broad-based 'Article 64-type' fisheries management organization – one they would be able to dominate and control.

It was in this climate of distrust and tension that Pacific island states began to coordinate tuna management initiatives among themselves, primarily through the FFA. Initially, these efforts were limited to the adoption of harmonized minimum terms and conditions of access (to be incorporated within access agreements between individual island states and fishing nations). But gradually other initiatives were adopted. These included a regional register (of vessels fishing in the region), an agreement to limit the number of purse seine licenses, a treaty to promote cooperation in surveillance and law enforcement, preferential access agreements for domestically licensed vessels to help promote local tuna industry, and a regional vessel monitoring system to ensure compliance with access agreements. (The latter was only developed in 1997.)

Towards a broad-based fisheries management organization

In 1987 the US agreed to enter into a multilateral access agreement with the FFA member countries, which resolved the previous conflict over access and provided the region with greatly enhanced information about US fishing operations (through a regional observer program). The US also cooperated with the region in its campaign in the late 1980s to ban the use of large-scale drift nets in the South Pacific, which threatened the southern albacore tuna fishery. The ban was implemented by the FFA members with the Wellington Convention of 1989. The United Nations subsequently adopted a global moratorium on drift netting. The principal drift netting countries were Japan, South Korea and Taiwan. In addition, the Pacific island countries developed an extensive database on the biological status of the tuna stocks, with an exchange of scientific knowledge being conducted through another regional body, the Oceanic Fisheries Program of the Pacific Community.

As a result of these measures and initiatives, Pacific island states began to enjoy increased economic benefits from their resources (for example through increased license fees). Coordination through the FFA helped to improve their bargaining position with the distant water fishing nations, as did the growing competition for access among the fishing nations – for whom the region represented the world's largest remaining tuna fisheries yet to be fully exploited.[5] However this growth in fishing activity (both within EEZs and on the high seas) also raised concerns about the potential for the fish stocks to become over-exploited, as was the case in other parts of the world.

While Pacific island countries continued to maintain their sovereign rights to manage and conserve their fisheries within EEZs, it was becoming more apparent that steps were needed to promote management and conservation on the high seas (through more broad-based cooperation with the fishing nations). Established fishing nations such as Japan also promoted such cooperation but the primary objective was to secure their access to the region's tuna against the threat of greater competition from emerging or rising fishing nations. In other words, they saw a broad-based fisheries management organization as a way to influence the allocation of fishing rights (in-zone and high seas), and to shape the terms and conditions of

access to the region in ways that protected their own interests. Developments at the global level in the early 1990s paved the way for the negotiation and development of a broad-based fisheries management regime in the Pacific. These developments were, firstly, the United Nations Conference on Environment and Development (UNCED), which adopted Agenda 21. Among other things this called for the United Nations to convene a conference focussing on high seas fisheries, in particular straddling fish stocks and highly migratory fish stocks. Both of these stocks were vulnerable to over-fishing, a problem that had led to potentially violent conflicts between countries.[6]

The UN subsequently convened such a conference, which met between 1993 and 1995 and adopted what is known for short as the United Nations Implementing Agreement (UNIA).

This is discussed in more detail below but it elaborated on areas of the UN Law of the Sea Convention, which had previously provided little guidance on how to achieve effective conservation and management. In addition to UNIA, other international instruments were also negotiated in the early 1990s: the Code of Conduct for Responsible Fisheries and the Compliance Agreement for the high seas, both under the auspices of the Food and Agriculture Organization.

1994 to present: Redefining fisheries management and conservation

There are two main features of UNIA.[7] One is its emphasis on what is termed 'an ecosystem approach' to management of the marine resources. This requires protection of bio-diversity and the promotion of optimum utilization. Perhaps of most importance in this context is the reference in UNIA to the need for a precautionary approach to fisheries utilization: taking precautionary measures to avert over-fishing even when available information is inadequate.

The other main feature is the central role given to regional regimes when promoting cooperation. UNIA provided detailed guidelines for cooperation, stipulating that management measures implemented within EEZs by coastal states and

those adopted for the high seas should be compatible. High seas measures should be jointly developed by fishing nations and coastal states through regional cooperation. UNIA also broke new legal ground in elaborating high seas compliance and enforcement measures. From the viewpoint of Pacific island states, a significant feature of UNIA was its 'recognition of the special requirements of developing states', especially their vulnerability and the dependence of their populations on the resources of the sea. [8]

Despite these guidelines, there were very real differences between coastal states and fishing nations as to how this agreement would work in practice. What remained unresolved was how the 'duty to cooperate' would be balanced with the sovereign rights of coastal states to manage and conserve their in-zone fisheries, especially in determining the allocation of fishing opportunities (quotas and access rights). While Pacific island states were committed to maintaining their prerogative to in-zone management, fishing nations saw UNIA as legitimizing joint management of stocks, throughout their migratory range (in-zone and high seas).

Other issues also divided the fishing nations and coastal states, which UNIA failed to resolve. These included the regulation of high seas fishing. Japan was among those fishing nations strongly opposed to any conditions limiting the freedom to fish on the high seas, and any moves to challenge the jurisdiction of flag states over their vessels while on the high seas. On the other hand, coastal states saw the need for provisions to ensure enforcement of management and conservation measures on the high seas and supported innovations included in UNIA dealing with high seas boarding and inspection.

There was also conflict over the application of the precautionary approach, with Japan and other fishing nations opposed to what was seen to be a sweeping management principle, which had yet to be tried and tested in the 'real world' and which could have adverse implications for fishing operations. Meanwhile, on the issue of special requirements of developing states, Japan sought to emphasize instead the special requirements of fishing nations, which are highly dependent on fish for domestic food consumption.

Whaling in the 19th century. Reproduced from **Whaling off Tahiti** *by Ernest S. Dodge, Société des Océanistes, Dossier 11, 1971*

The adoption of UNIA in August 1995 was the catalyst for negotiations to establish a broad-based regional fisheries management and conservation regime in the South Pacific. As a FFA briefing paper stated in 1996: 'It remains clear that the adoption of UNIA will require the South Pacific region to modify current arrangements (regarding) the conservation and management of highly migratory species.' But it also stated that the conclusion of UNIA 'should be seen as an opportunity not a threat...that will promote good order on the high seas'.[9] Pacific island countries were generally of the view that any arrangements developed under the framework of UNIA should primarily address high seas conservation and management, which in turn would strengthen the integrity of in-zone measures they had adopted or were developing.

The Multilateral High-Level Conference process

An exploratory consultation with fishing nations had taken place in late 1994. This did not discuss management and conservation issues but was limited to an exchange of views on data collection and exchange and compliance issues. This meeting, now known as MHLC1 (Multilateral High-Level Conference 1), agreed to hold a further technical consultation on fisheries data collection and exchange, which took place in 1996. Other developments at this time were the 1995 decision by the South Pacific Forum to set up a sub-committee on future management arrangements. This sub-committee met through 1996 until early 1997 and considered the region's options in developing cooperation with distant water fishing nations.

In 1996, a meeting was convened in Tokyo of an 'Interim Scientific Committee for Tuna and Tuna-like Species', which would focus on the fisheries of the north Pacific. Pacific island states were alarmed at media reports that this incipient organization [10] planned to 'engulf' the entire FFA region. This may have been a factor in the decision, taken at the Forum Fisheries Committee meeting that year, to convene another multilateral high-level conference, this time to specifically discuss fisheries management and conservation with distant water fishing nations.[11]

The 1996 South Pacific Forum leaders summit gave political backing to this initiative and the President of Marshall Islands invited countries to attend a ministerial-level meeting of the Forum Fisheries Committee and a second multilateral high-level conference in the Marshall Islands' capital of Majuro in 1997. This decision to engage in consultations with the fishing nations on management and conservation issues was unprecedented. But there continued to be misgivings and uncertainty over how far and how fast cooperation should proceed.

Pacific island countries agreed to aim for a declaration at the Majuro conference (MHLC2) stating the commitment of all parties to cooperate in regional arrangements in order to achieve compatible management measures throughout the geographical range of the stocks. There should be wide application of the precautionary approach, sharing of fisheries data and cooperation in compliance and enforcement. Of special importance to the region was explicit recognition of their sovereign rights to manage, exploit and conserve resources within their EEZs, and a commitment from fishing nations to provide the developing island states with economic assistance to enable them to fulfil their duties and to participate effectively in the work of the future arrangement. They also agreed to a deadline of June 2000 for the implementation of a new management regime. These elements were broadly contained in the Majuro Declaration, adopted by acclamation at the end of MHLC2.

Since 1997, the MHLC process (as it is commonly known) evolved at an increasingly rapid pace under the brisk and efficient chairmanship of Ambassador Satya Nandan.[12]

Through a series of conferences and technical consultations a draft convention was negotiated that established a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. This Commission, whose headquarters have yet to be decided, will also have a secretariat and two advisory committees. Its functions will include determining the total allowable catch or level of fishing effort for the convention area, compiling and disseminating fisheries data, and adopting compliance and enforcement measures. The convention is much more than a framework agreement and provides considerable direction for the Commission in its work.

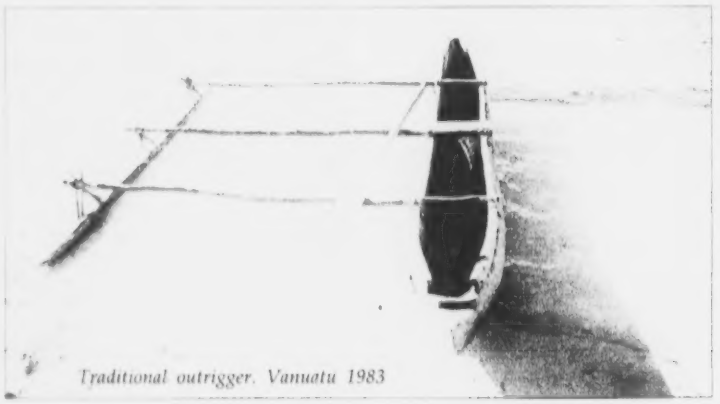
Conflicting interests

In the negotiation process, Pacific island countries have been compelled to accept a much wider convention area than was originally conceived, with much broader membership. The geographical area encompasses the entire North Pacific west of the 180-degree meridian, as well as a comparable area in the South Pacific. There are no defined northern or western boundaries. [13] As a consequence the regime covers a wider range of highly migratory fish stocks than the four tuna species of principal interest to the Pacific islands.

What has also emerged is a regime with potentially more sweeping powers than the Pacific island states would welcome (influencing management measures both within EEZs and on the high seas). Although the Commission functions are 'without prejudice' to the sovereign rights of coastal states, the role of the Commission in the setting of quotas and allocation of fishing opportunities remains open-ended and undefined. This is a concern given the diametrically opposed positions taken by fishing nations and Pacific island states on this issue. [14]

Despite the progress made in the MHLC process, it is not clear that the Commission will get the cooperation it needs to develop an effective conservation and management role. Japan, South Korea, China and Taiwan continue to question the application of the precautionary approach, high seas boarding and inspection provisions, and measures for monitoring, control and compliance. Decision-making also remains an

intractable issue with fishing nations opposed to a decision making and dispute settlement system that precludes opt out provisions. Pacific island countries support a binding dispute settlement procedure, to ensure that conservation and management measures are implemented in a timely and effective manner. In the interests of building consensus on the draft text, Ambassador Nandan has been forced to make some adjustments in the direction favored by fishing nations, thus weakening overall provisions.



Traditional outrigger. Vanuatu 1983

What is also a concern is the question of financial support – not just for the Commission, but also for the Pacific islands in order for them to participate meaningfully in the new regime. Fishing nations (which include some of the richest countries in the world) are reluctant to assist the Pacific island states (which include some of the smallest countries in the world) especially in ways that would strengthen Pacific island management and harvesting capacities.

Perhaps the fundamental question therefore is: will Pacific island countries support the new regime? These countries have a compelling interest in managing and conserving the fisheries and other marine resources of their region, both now and in the future. Perhaps no other countries depend as much as do the Pacific islands on the wealth and well being of the ocean. However the Pacific island states also view the resources within their EEZs as fundamental to their economic and political survival. Thus they are unlikely to support a regime that erodes their sovereign rights over those resources. The new regime must complement rather than compete with the national fisheries management plans, and support rather than subsume their sovereign rights to manage, exploit and conserve their tuna resources.

Notes

The industry represents about one third of all exports and provides employment for an estimated 30-40,000 Pacific islanders. Island states receive about $70 million annually in access or license fees. Ian Cartwright, 'Land Poor — Ocean Rich: Management Issues in the Western and Central Pacific Tuna Fishery'. Unpublished Paper, 1999.

Article 64 of the United Nations Law of the Sea Convention adopted in 1982, and Article 7 of the United Nations Implementing Agreement on Straddling and Highly Migratory Fish Stocks, adopted in 1995.

In this second period, Pacific island countries have continued to develop and coordinate in-zone fishery management plans, in accordance with their rights and duties as coastal states. However, a crucial issue for the region to resolve is the relationship between these in-zone measures and the emerging multilateral management and conservation regime, discussed in more detail below.

At the United Nation Law of the Sea Conference, Japan had been the foremost opponent of the EEZ concept. As the world's largest distant water fishing nation, Japan saw the advent of extended coastal state jurisdiction as a threat to its fishing operations and to the supply of fish to its huge domestic market. Details are in Sandra Tarte, *Japan's Aid Diplomacy and the Pacific Islands*. National Center for Development Studies, Canberra, and Institute of Pacific Studies, Suva, 1998.

Between 1983 and 1993, the number of purse seiners operating in the region increased from 94 to 191. Catches of skipjack tuna tripled while those of yellowfin doubled.

For example, between Canada and Spain over the cod-fishery (a straddling stock) on the Grand Banks, Newfoundland.

OlivierThebaud, 'Transboundary marine management: Recent developments and elements of analysis', in *Marine Policy*, Vol.21, No.3, 1997, pp.237-253.

Article 24 of UNIA, whose full title is Agreement for the Implementation of the Provisions of the UN Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

FFA, Regional Fisheries Issues, Honiara, 1996.

Comprising Japan, China, Taiwan, South Korea, Mexico, Canada and the US but no Pacific island countries.

Ulafala Aiavo, 'Fishing for the Future', in *Islands Business Pacific*, June 1996, pp.50-51.

Ambassador Nandan is a Fiji national who chaired the UNIA negotiations and heads the International Seabed Authority. As of October 1999, there have been five sessions of the MHLC. A further session is planned for April 2000 and a final session, when the convention will be opened for signature, for June 2000.

This is in the interest of covering the full geographic range of the highly migratory fish stocks in the region.

Pacific island countries maintain that they have the sovereign right to set national fishing quotas and to determine access to their EEZs. The Commission should only allocate high seas quotas. Japan and other fishing nations argue that the Commission should allocate quotas throughout the migratory range of the stocks (both in-zone and high seas). Allocation should primarily be based on historic catch levels. This would obviously favor the fishing nations, since most Pacific island countries do not have any historic catch.

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Pacific women at the 3rd NFIP conference demonstrating against nuclear weapons. Vanuatu, 1983

THE NEW ARMS RACE IN ASIA AND THE PACIFIC

By Corazon Fabros

As ever, it is through a gathering of peace forces and those committed to independence struggles that future generations are given hope and assurance for a better, safer tomorrow. Our struggle is an arduous and difficult one because of the enormous and powerful foe that confronts us. But history has time and again shown that it is not the size or might alone of the aggressor that determine the outcome of the fight. It is the determination of a struggling people that ultimately spells the difference, as we have witnessed in the struggles for independence of the peoples of Vanuatu and now the peoples of East Timor (or Timor Lorosae as it should be appropriately called). These are inspirations that we carry in our hearts as we build on our work and look forward to independence for our brothers and sisters here in Te Ao Maohi, West Papua, Bougainville, and other still colonised Pacific island nations.*

The power of the gun

When talking about struggles for self-determination and independence, what stands out is the fact that our colonisers have occupied our lands and subjugated our people through the power of the gun. The use of military and violence have been a common denominator, whether we are looking at centuries of history or contemporary times.

This year, 1999, marks 100 years of US intervention in Asian affairs. The era began on 4 February 1899 when US troops trampled on Philippine soil, undermined the freedom and sovereignty that our forefathers won after 300 years of Spanish colonisation, waged a war of conquest and colonised the Philippines so as to gain a market and military stronghold in Asia. The bloody US conquest of the Philippines in 1899 caused the death of more than 650,000 Filipinos or 20% of our population at the time. Most of them were civilians. Historians have

described the Philippine-American War as 'America's first Vietnam in Asia'.

In 1991, the Philippines people ended the US military presence in the Philippines through the historic rejection of the Republic of the Philippines-US Military Bases Agreement. It is unfortunate that this year 1999 also marks the return of US forces and military exercises in Philippine soil after the Philippine Senate's ratification of the RP-US Visiting Forces Agreement (VFA). This development will restore the role that the Philippines played when we had US bases in our country - as an accomplice in intervention and aggression by US forces in the Asia-Pacific region, the Middle East, or any part of the world.

There are trends and developments that support the assertion that there is a new arms race in Asia and the Pacific. Some elements include:

- US military presence in the Asia-Pacific region
- The US-Japan Military alliance and the 1991 Security Guidelines
- RP-US Visiting Forces Agreement, 1999
- Foreign aid, arms trade and military and paramilitary build-up
- US security and defence policies
- War games and joint military exercises in Asia and the Pacific region

US military presence in the Asia-Pacific region

The main military bases covering the Asia-Pacific region are located in Alaska, Hawai'i, Japan, Korea, Guam, Saipan, Singapore and Diego Garcia.

Other Asian countries do not have bases but are covered by Access and Cross Servicing Agreements (ACSA), Status of Forces Agreements (SOFA), or Visiting Forces Agreements (VFA) as in the case for the Philippines. These agreements provide supply arrangements and unimpeded sea / air access to ports and harbours. The forward presence of the United States - more than 100,000 troops - with its bases, agreements and operations is a stumbling block to the self-determination efforts of communities, undermining efforts to create a non-militarised regional security system.

The US-Japan military alliance and the 1999 security guidelines

Today, the cornerstone of US military presence in Asia and the Pacific is still the US-Japan military alliance.

The revised Japan-US Mutual Defence Cooperation Guidelines, signed in 1999, intensify the nature and range of US-Japan military operations, causing unease among Japan's neighbours. These guidelines will allow Japanese forces to provide stronger rearguard support to US forces in crises that directly threaten Japan's security. US naval ships would be allowed to use Japanese civilian ports and Japanese ships could conduct minesweeping operations. It improves US-Japan military cooperation in providing fuel, food, medical services and transport and allows Japan to send warships to rescue Japanese citizens overseas.

In Okinawa, US Marine Expeditionary units form the core of today's intervention forces in the Asia-Pacific region. In this region, US military might is actually the largest military force overseas of a foreign military power on land and sea. As US Air Force General John Lorber bragged:

> *'We the US, are a Pacific nation where command extends from the west coast of the United States to the eastern coast of Africa and includes both polar extremes.'*

The United States aims to maintain and expand existing bilateral military and security treaties, the core of which is the interoperability of strategy, command and equipment, and where the US military command is the *'first among equals'*. Corollary to this is the US doctrine of *'open and unimpeded access'* to Asia-Pacific waters and the Indian Ocean. US military today is anchored on six security treaties in the region with Japan (1951), the Republic of Korea (1953), Australia (1951), the Philippines (1951), Thailand (1954) and the Compacts of Free Association with the Marshall Islands, Federated States of Micronesia and Palau (1986).

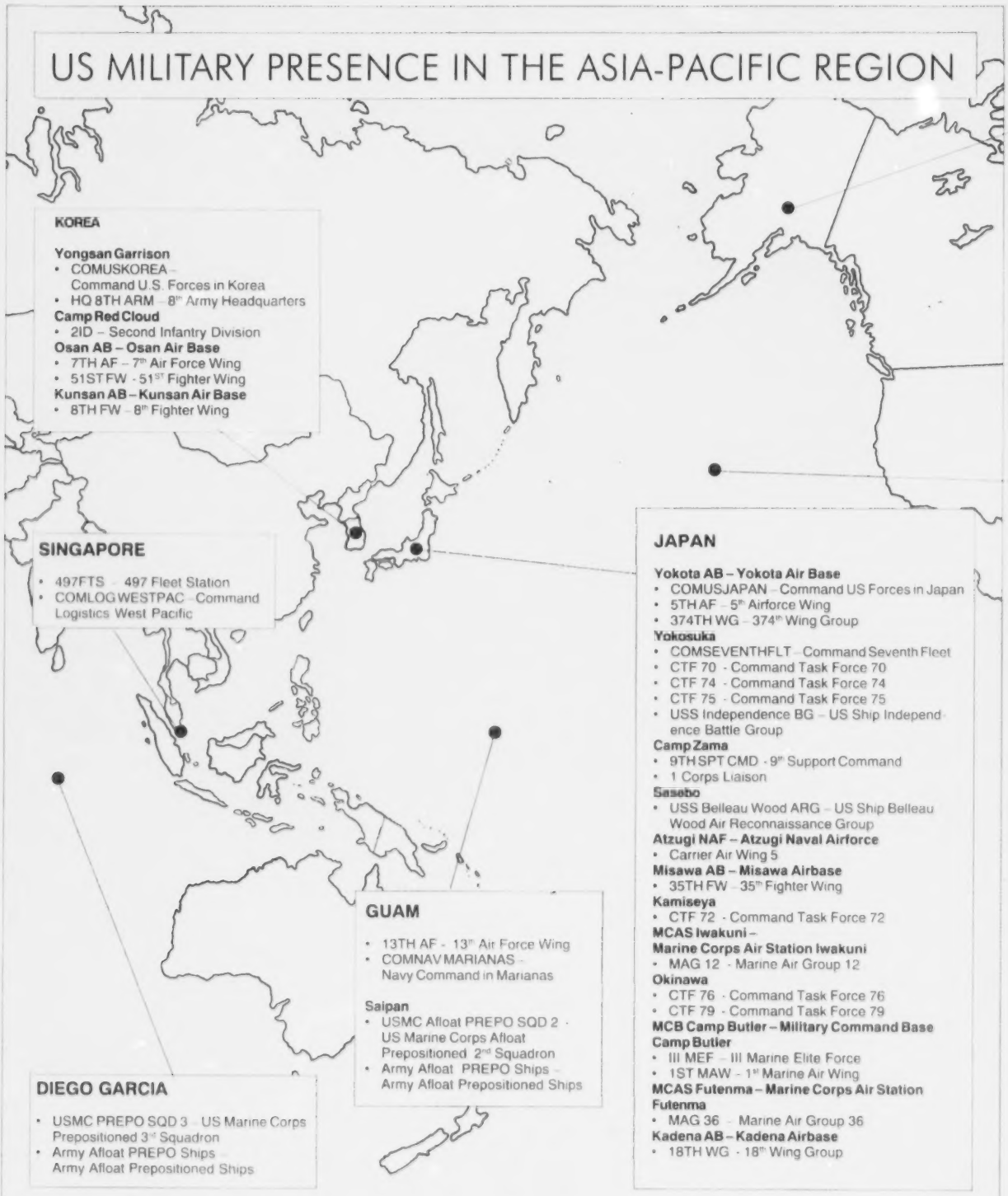
The RP-US Visiting Forces Agreement of 1999

Like previous military treaties between the Philippine government and the US, the VFA and its onerous provisions show utter disrespect for Philippine territorial integrity, environment and the dignity of the Filipino people. The VFA reintroduces US military troops into the Republic of the Philippines, granting them landing and docking rights and extra-territorial privileges. It grants special privileges to US forces like exemption from taxes, duties, charges, visa regulation and judicial jurisdiction over crimes that may be committed within Philippine territory. The US considered 22 commercial ports as military access points, opening the whole country to unprecedented US military presence.

More ominously, the VFA does not require the US military to declare whether or not nuclear weapons are on board vessels entering Philippines territory. This allows the transport of nuclear weapons into the country and the possibility of a nuclear explosion. It also opens the country to possible external threat from enemies of the US.

The VFA is now a serious threat to our people's security and welfare. The US global military apparatus that now spends US$264 billion annually - including its 15,000 nuclear warheads and a new generation of nuclear weapons - is now a prime and favourite target of dedicated Islamic groups challenging US imperial interests in the Middle East. They could strike anywhere against US interests, especially US military units sent out against them. A borderless US military presence in the country attracts borderless retaliation and attacks by America's foes.

US MILITARY PRESENCE IN THE ASIA-PACIFIC REGION



KOREA

Yongsan Garrison
- COMUSKOREA – Command U.S. Forces in Korea
- HQ 8TH ARM – 8th Army Headquarters

Camp Red Cloud
- 2ID – Second Infantry Division

Osan AB – Osan Air Base
- 7TH AF – 7th Air Force Wing
- 51ST FW - 51ST Fighter Wing

Kunsan AB – Kunsan Air Base
- 8TH FW – 8th Fighter Wing

SINGAPORE
- 497FTS – 497 Fleet Station
- COMLOG WESTPAC – Command Logistics West Pacific

JAPAN

Yokota AB – Yokota Air Base
- COMUSJAPAN – Command US Forces in Japan
- 5TH AF – 5th Airforce Wing
- 374TH WG – 374th Wing Group

Yokosuka
- COMSEVENTHFLT – Command Seventh Fleet
- CTF 70 - Command Task Force 70
- CTF 74 - Command Task Force 74
- CTF 75 - Command Task Force 75
- USS Independence BG – US Ship Independence Battle Group

Camp Zama
- 9TH SPT CMD - 9th Support Command
- 1 Corps Liaison

Sasebo
- USS Belleau Wood ARG – US Ship Belleau Wood Air Reconnaissance Group

Atzugi NAF – Atzugi Naval Airforce
- Carrier Air Wing 5

Misawa AB – Misawa Airbase
- 35TH FW – 35th Fighter Wing

Kamiseya
- CTF 72 - Command Task Force 72

MCAS Iwakuni – Marine Corps Air Station Iwakuni
- MAG 12 - Marine Air Group 12

Okinawa
- CTF 76 - Command Task Force 76
- CTF 79 - Command Task Force 79

MCB Camp Butler – Military Command Base Camp Butler
- III MEF – III Marine Elite Force
- 1ST MAW – 1st Marine Air Wing

MCAS Futenma – Marine Corps Air Station Futenma
- MAG 36 – Marine Air Group 36

Kadena AB – Kadena Airbase
- 18TH WG - 18th Wing Group

GUAM
- 13TH AF - 13th Air Force Wing
- COMNAV MARIANAS – Navy Command in Marianas

Saipan
- USMC Afloat PREPO SQD 2 - US Marine Corps Afloat Prepositioned 2nd Squadron
- Army Afloat PREPO Ships – Army Afloat Prepositioned Ships

DIEGO GARCIA
- USMC PREPO SQD 3 – US Marine Corps Prepositioned 3rd Squadron
- Army Afloat PREPO Ships – Army Afloat Prepositioned Ships

ALASKA

Elmendorf AFB – Elmendorf Airforce Base
- HQ Alaska CMD - Alaska Command Headquarters
- 11TH AF – 11th Airforce Wing
- 3RD WG - Third Wing Group

Fort Richardson
- HQ Army Alaska - Alaska Army Headquaters
- Arctic SPT BDE - Arctic Support Brigade

Eielson AFB - Aielson Airforce Base
- 254TH FW - 254th Fighter Wing

Fort Wainwright
- 3RD BDE 10TH MTN DIV - Third Brigade 10th Mountain Division

HAWAII

Camp Smith MCB - Camp Smith Military Command Base
- HQ Pacific Command - Pacific Command Headquarters
- HQ Marine Forces Pacific - Marine Forces Pacific Headquarters
- HQ Special Ops Pacific - Special Operations Pacific Headquarters
- JTF Full Accounting - Joint Task Force Full Accounting

Pearl Harbor
- HQ Pacific Fleet - Pacific Fleet Headquarters

Fort Shafter
- HQ Army Pacific - Pacific Army Headquarters

Hickam AFB - Hickam Airforce Base
- HQ Pacific Air Forces - Pacific Air Forces Headquarters

Schofield Barracks
- 25ID - 25th Infantry Division

Kaneoche MCB - Kaneoche Military Command Base
- 3RD Marine RGT - 3rd Marine Regiment

Other 'activities' granted to US forces by the VFA have grave implications for both our public and private security. The US National Security Agency (NSA) has developed a global surveillance system called ECHELLON, which is a powerful electronic net that intercepts and monitors all phone, fax, e-mail and modem signals. The 1998 European Parliament report entitled '*An appraisal of technologies of political control*' has listed serious concerns and has recommended an intensive investigation of US-NSA operations, which utilise military communication facilities in other host countries. The NSA ECHELLON system provides awesome potential for abuse against civilian targets and governments worldwide, even against allies of the US.

In the VFA, the definition of US military personnel includes not only US soldiers and sailors but also 44 civilian personnel who are employed by the US armed forces. These US 'civilians' include technicians and specialists of the National Security Agency, which during the time of US bases operated spy communication facilities at Clark, Subic and Camp John Hay. All private citizens' communications are intercepted and monitored by the ECHELLON system, which is one of the most sophisticated eavesdropping networks in the world. According to Nicky Hager's 1996 book about the international spy network '*Secret Power*', the US has not only been using its NSA ECHELLON system to collect political, military and economic intelligence against its enemies. According to Hager,

> *'there is extensive interception of the ASEAN countries including the Philippines . . . where ASEAN meetings receive special attention with both public and private communications of these countries being intercepted to reveal the topics discussed, positions being taken and policy being considered.'*

Through the VFA, US plans to fully restore its ECHELLON system in the Philippines, which was interrupted by the pullout of US military facilities and bases. ECHELLON functions as an electronic intercept and processing operation geared towards civilian communications, including those of governments.

We are concerned about the environmental destruction that will again be inflicted by US military exercises and port calls. The Prefecture of Okinawa has documented environmental contamination and damage on its shores through the US port calls and military exercises. Some examples:
- Artillery firing exercises have destroyed their forests and mountains and contaminated lands with TNT, RBX, DNT[1] and unexploded ammunition and missiles;
- Contamination of Okinawan waters by asbestos, lead and PCB;
- Red soil erosion as a result of regular military manoeuvres;
- Cobalt 60 emitted from military ports;
- PCB polluting Okinawa civilian water supply;
- Mutant frogs have been discovered in Gushkawa City coastal area surrounding US military facilities.

With the VFA, Filipinos could once again be at the receiving end of human rights violations committed by US armed forces. Scavengers may once again be mistaken as wild boars as bullets rip their flesh. Poor women and children may be forced to engage in the flesh trade due to extreme economic difficulty. The presence of Americans could also result in the mushrooming of brothels, nightspots and other 'entertainment centres' for their unlimited pleasure.

Foreign aid, arms trade and military and paramilitary build-up

An examination of $13.6 billion in US foreign aid activity for Fiscal Year 1997 reveals that almost half of the aid is military or security assistance. Every year, billions of dollars are spent on the active militarisation of the world through direct grants of military equipment or financing of equipment purchases. There is no need to emphasise that this aid comes as icing on the cake on military and defence agreements that are being forged with governments in Asia and the Pacific region. These deals are often undertaken under a veil of secrecy forged by corrupt and unscrupulous defence negotiators. The United States invests more on militarisation than in development aid, contrary to its announced foreign policy objectives such as sustainable development, protection of human health and promotion of economic growth.

According to a July 1998 study on foreign aid and the arms trade by Joan Whelan of the Council of a Livable World, the United States has approved hundreds of millions of dollars worth of commercial licenses for weapons sales and joint production between defence manufacturers and governments involved in or recently emerging from civil war or other forms of conflict. The United States holds a disproportionately large share of the global arms market with 49 per cent of all weapons sales. These transfers can increase the threat of war, help fuel arms races and represent huge opportunity costs that in the end limit economic and social development.

Aid to Asia and the Pacific is directed primarily to some of the poorest nations in the world and some of the most populous - in programs ranging from $30-$50 million. The vast majority of military assistance programs consist of military equipment stockpiles. Nations in east and southeast Asia are consistently some of the best customers for US arms exports. In the five years from 1993-1997, eight nations in Asia (including Indonesia, Thailand, South Korea. Malaysia, Taiwan, Japan, Singapore and the Philippines) purchased more than $18.5 billion of military equipment from the US through the Foreign Military Sales Program. The Philippines has asked a number of defence manufacturers to bid in the production of fighter jets and patrol ships that will be part of a fifteen year $8.5 billion plan to upgrade its military capabilities.

The Asia-Pacific region accounts for 48 per cent of world arms purchases. The 1997-8 economic collapse is undermining human security in many Asian countries, threatening the stability of the entire region. In some countries, newly modernised militaries have been turned on civil populations to ensure 'internal security'. The age of colonialism is slow to die, as self-determination and independence struggles of Timor Lorosae, Guam, and New Caledonia demonstrate. Larger powers are suppliers of military equipment and training programs to Pacific islands where there has been a build-up of militaries and paramilitaries.

In the New York Times of 7 September 1999, there is an article about American submarines on patrol in the Atlantic carrying small warheads. This is the W-88, which is one of the most deadly weapons in the US arsenal. The US Navy is adding this weapon to its Pacific fleet, so in the next few years the W-88 is likely to be aimed at China.

We also need to look into the Multilateral Agreement on Investment (MAI), which is designed to liberalise investments, but its powerful provisions limit governments' ability to intervene in the economy. Such corporate treaties pose a serious threat to measures to promote peace and security. The MAI will have a dual effect of threatening social programs, while protecting and enhancing military spending and arms trade. The purpose of the MAI is to remove virtually all barriers to the free flow of investments by investors (i. e. corporations) between contracting parties (i. e. signatory countries), thus granting special protection for military spending and putting restrictions on governments' ability to control the arms trade.

We should also look into the weapons trade shows that are being sponsored by the arms industry with the cooperation of governments. Such exhibitions are a yearly event in the Philippines and regularly held in Australia. There is an upcoming international aerospace exhibition in Dubai in November 1999. This is meant to seek more markets in the Asia and Pacific region through demonstration of the use and effectiveness of weapons systems.

US security and defence policy

US strategic presence is implemented by 100,000 US troops deployed in the region. According to the 1997 Report of the Quadrennial Defence Review by the US Department of Defence, US national defence and security policy is now inter-twined with economic globalisation such as *'protection of the sea lanes of trade'* and *'ensuring unhampered access to key markets, energy supplies and strategic resources'*. Pentagon literature now treats operational jurisdiction of the Pacific Command as 'highways of trade, which are vital to US national security'. It is in this context that the territorial claims in the Spratlys in the South China Sea by five Asian countries can be seen as a potential flashpoint in the region. Incidentally, it is this tension perceived as created by China's aggressive territorial claim in the Spratlys that has provided justification to restore military presence in the Philippines through the Visiting Forces Agreement.

A paper presented by the Centre for Defence Information to the US National Security Study Group in March 1999, sets out developing trends that affect security:

- Many nations will continue to move toward some form of democratic government and open markets.
- National minorities within states created during the colonial era will demand more equitable share of economic and political power; or, they will pursue measures to gain independence.
- The United States will encounter greater resistance to permanent stationing and forward deployments of US forces overseas.
- Potential adversaries will move away from classic force-on-force confrontations with the US and its allies.
- Computer-based information gathering, data storage, and distribution will increase, and greater familiarity with

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computer techniques will enhance the possibility for cyber warfare and the need for cyber defence.

- The 19th and 20th century concept of absolute national sovereignty will be challenged by the growing power inherent in non-state transnational finance and trade organizations, the growth in treaties regulating or allocating the distribution of resources, and other agreements embodying international norms and standards, e. g. human and political rights.

The use of cyberspace in the 21st century opens new areas of concern. The *Arms Sales Monitor* reports in May 1999 that:

> *'One aspect of the Pentagon's Defence Reform Initiative is the Department of Defence (DOD) Electronic Mall, an Internet based system providing 'one stop shopping' for the DOD war fighter to quickly and easily locate and order items from commercial electronic catalogues. Hoping to provide the best in modern customer service to its foreign arms sales customers as well, the DOD is planning a pilot program for integrating Foreign Military Sales into the e-mail for June 1999.'*

That is virtually arms sales on the Internet.

War games and joint military exercises in Asia and the Pacific region

The primary purpose of US military training and exercises is to familiarise foreign military forces with the use of US weapons and military hardware. Joint training is important in creating a climate of support for US foreign policy goals and in establishing personal contact and influence between US military and foreign defence officers. US military exercises are part and parcel of the Pentagon's expansion of US military might worldwide and to maximise capabilities for intervention. US Army training institutions for foreign soldiers like the School of Americas has trained thousands of soldiers from Latin America, Asia and Africa. Among those trained were former military dictators and officers responsible for the deaths of thousands of people. This has aligned the US with the forces of tyranny and oppression. US military training programs have instructed and indoctrinated tens of thousands of government killers, death squads, coup makers and US agents.

In 1996, the US Department of Defence finally admitted that training manuals used at its military schools included instructions on torture, beating, murder, extortion and recruitment of informers and counter-insurgency operations.

The United States has scheduled at least eight joint military exercises in the Philippines before the end of 1999 as a result of the VFA ratification. Here in the Pacific, seven Pacific island countries have taken part in the Paradise '99 naval war games in June 1999. About 300 naval personnel, 12 vessels and patrol boats took part in the 12-day exercise that took place in the Solomon Sea. The war games included forces from Australia, Papua New Guinea, the Federated States of Micronesia, Fiji, New Zealand, Palau and the Solomon Islands. The objective of Paradise '99 is to share tactics, skills and equipment.

Fijian soldiers travel to New Caledonia each year for military exercises and training (including commando training) in cooperation with the French armed forces. In return, French soldiers are sent on attachment with the Fiji Military Force. To mark Bastille Day in 1998, a French warship from New Caledonia arrived in Suva to unload trucks, spare parts and military supplies as military aid for the Fiji Military Forces.

Other countries have started similar programs. French troops from New Caledonia joined US Marines and the Tonga Defence Services for war games in Tonga in 1998. Tonga now conducts annual military exercises in France. French police trainers also helped establish the elite intervention force of the Vanuatu police, with training in firearms, close order combat and special operations. Members of Vanuatu's paramilitary police force joined exercises in New Caledonia funded by France. French aid programs have been formally extended to cover eight South Pacific countries - Papua New Guinea, Fiji, Kiribati, Tuvalu, Tonga, Samoa, Vanuatu and Solomon Islands. This opens the way for provision of military equipment, military assistance to local armies and training of overseas military personnel in French military schools.

The armed forces of France, Australia and New Zealand are cooperating on maritime surveillance of the small island states of the region. The use of the navy and air force for civilian surveillance and search and rescue should not cover up the ongoing military functions of this naval cooperation. Australia-supplied patrol boats were used in the blockade of Bougainville by the Papua New Guinea Defence Force, in a conflict causing death to at least 12,000 lives. Even with the closure of the Nuclear Testing Centre on Moruroa, France is maintaining military forces in the Pacific. The call for self-determination and independence in the French Pacific colonies of New Caledonia and French Polynesia takes on an increasing importance in this light. The end of nuclear testing in 1996 is an important step for security in the region, but not the end of the issue.

Notes

* This overview of the militarisation of Asia and the Pacific was presented by the author at the 8th NFIP conference in Tahiti, Te Ao Maohi/French Polynesia, 19-25 September 1999.

[1] Chemical components used in explosives which are highly toxic and have adverse effects on the environment, as well as on fish, waterfowl, animals and human beings that have been exposed to them.

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STATEMENT TO THE UN GENERAL ASSEMBLY SPECIAL SESSION ON SMALL ISLANDS DEVELOPING STATES

NEW YORK, 27 - 28 SEPTEMBER 1999

By the Pacific Concerns Resource Centre (PCRC), presented by Mrs. Losena Tubanavau-Salabula

The United Nations General Assembly Special Session on Small Island Developing States (UNGASS – SIDS) was held in New York on 27-28 September 1999. The Special Session came five years after the UN conference on Small Island Developing States in Barbados, which developed the Barbados Program for Action. This statement was the only statement presented by a non-government organisation from the Pacific islands at the New York UNGASS – SIDS.

Mr. President,

Let me first convey to you the warmest greetings from the Nuclear Free and Independent Pacific Movement, which held its 8th triennial Conference in Tahiti, Te Ao Maohi / French Polynesia, 19-25 September 1999.

The Nuclear Free and Independent Pacific (NFIP) movement is the oldest network of Non-Governmental Organisations in the Pacific region. Pacific Concerns Resource Centre (PCRC) is its Secretariat.

The substance of this presentation, which I have the honour to present here, was adopted by the 8th NFIP Conference on 24 September 1999.

Mr. President, we are concerned that paragraph 24.c(iii) of the Barbados Programme of Action is no longer acceptable to the international community. This paragraph states that we

> *'accept the right of small island developing states to regulate, restrict and/or ban the importation of products containing non-biodegradable and/or hazardous substances, and to prohibit the transboundary movement of hazardous and radioactive wastes and materials within their jurisdiction, consistent with international law.'*

In our view, the rejection of this language is symptomatic of the rollback of what little concessions the small island developing states were able to squeeze out of the Barbados negotiations five years ago.

Furthermore, this rejection flies in the face of the overwhelming opposition expressed by governments in the Caribbean and Pacific Ocean and by the South Pacific Forum to the recent shipment of radioactive Mixed Oxide Fuel (MOX) on the 'Pacific Teal' and 'Pacific Pintail' through their waters. Indeed other governments along the shipments' route such as South Africa and the Australian Senate have also expressed their opposition to the shipments.

Because of this rollback, we feel that the Small Islands Developing States, including the small islands non-self governing territories, must go back to the drawing board and reassert what little rights they have.

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Mr. President, we salute the declaration on 30 August by the people of East Timor or Timor Lorosae, of their right to independence.

We call upon the UN General Assembly to do all that is practicable to assist the soon-to-be-independent state of Timor Lorosae, to rebuild its infrastructure and to take its rightful place in the United Nations and of course in the Alliance of Small Island States.

We call upon the UN General Assembly to ensure the continuation of the Special Committee on Decolonisation beyond the year 2000. To dismantle the Special Committee now would be to abandon the colonised peoples of the world, the majority of whom are in small island countries.

We ask that Kanaky (New Caledonia) remains inscribed on the UN list of Non-Self-Governing Territories until it exercises its right to self-determination. The US territory of Guam also calls for reparations for wartime atrocities and asserts its rights to self-determination. Furthermore, we call for the re-listing of French Polynesia, Ka Pae'aina (Hawai'i), West Papua (Irian Jaya), Rapanui (Easter Island) and Bougainville on the Special Committee's List of Non-Self-Governing Territories.

We call upon the UN General Assembly to support the various calls made via the UN Commission on Human Rights, for a Permanent Forum for Indigenous Peoples within the UN System.

We affirm the declaration in the Barbados Programme of Action that the

'technology, knowledge and customary and traditional practices of local and indigenous peoples, including resource owners and custodians are adequately and effectively protected and that they thereby benefit directly on an equitable basis and on mutually agreed terms from any utilisation of such technologies, knowledge and practices or from any technological development directly derived there from.'

We support the call made by government members of the South Pacific Forum for more equitable returns from our tuna resources. This can come through increase in the access fees paid by the tuna fishing fleets of the Distant Water Fishing Nations, and assistance from the international community for the development of the capacities of small island developing states to be able to harvest their Tuna resources themselves.

Our island states were among the first in the world to warn against the horrifying consequences of climate change. We warned against the sea-level rise that could make our island homes, our livelihood, our cultures extinct. We formed AOSIS (the Association of Small Island States) in 1990, which with one fifth of the UN seats became the voice of the previously voiceless small island states. The whole world, developing and industrialised countries alike, recognised our vulnerability and included this recognition in the Framework Convention on Climate Change and Agenda 21.

Encouraged by this support, our island states wanted to move further and proposed the Barbados Conference to take place. This first attempt by a group of states to further elaborate on Agenda 21 was unprecedented and has not been emulated since, by any other group of countries, which are members of the United Nations. Our island states again took the lead and again received recognition from the world, in the 'spirit of Barbados'.

And here we are, 5 years later, the spirit of Barbados a distant memory. Now down to earth, we learn that the Barbados Programme of Action has not made a significant difference in the cooperation of the international community with SIDS. The report *'European Co-operation with Small Island Developing States'* by the University of Nijmegen in the Netherlands, co-financed by the European Commission and available at this conference, concludes that *'for most European donors the Barbados Programme of Action did not take root in the existing co-operation with SIDS'*.

The spirit of Barbados did not only evaporate in the Donor Countries. Also in our own island states the Barbados Programme of Action did not become a focus for the development of our societies. In our project on the Lomé Convention for example, we found that in general, people central to the administration of Development Cooperation with the European Commission had never heard of the Barbados Program of Action.

Mr. President, for the Nuclear Free and Independent Movement and the Pacific NGOs, it has been a staggering experience to see how much human and financial resources went into the Donor Conference last February, the 7th Commission on Sustainable Development last April and in this Special Session - and how few concrete results of the Barbados Programme of Action have been achieved. If only a fraction of these resources had been used for better coordination and integrated project-development in both SIDS and the donor countries, our presentation today would have been more positive.

Mr. President, in closing we want to re-emphasise the rights of all peoples, especially colonised peoples, to self-determination and independence.

It is only when this fundamental human right is recognised and practised can we really start talking about the sustainable development of Small Island Developing States.

Let the spirit of our ancestors guide you in making a just decision, in recognising these rights for our Pacific Islands.

Mr. President, thank you for the opportunity you have given us. May God bless you and the United Nations' General Assembly. ❑

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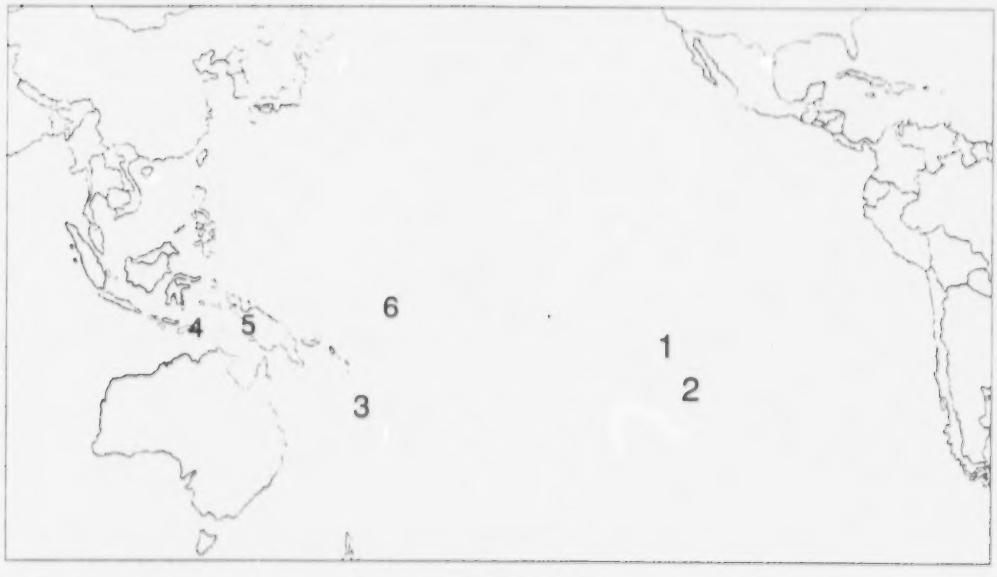

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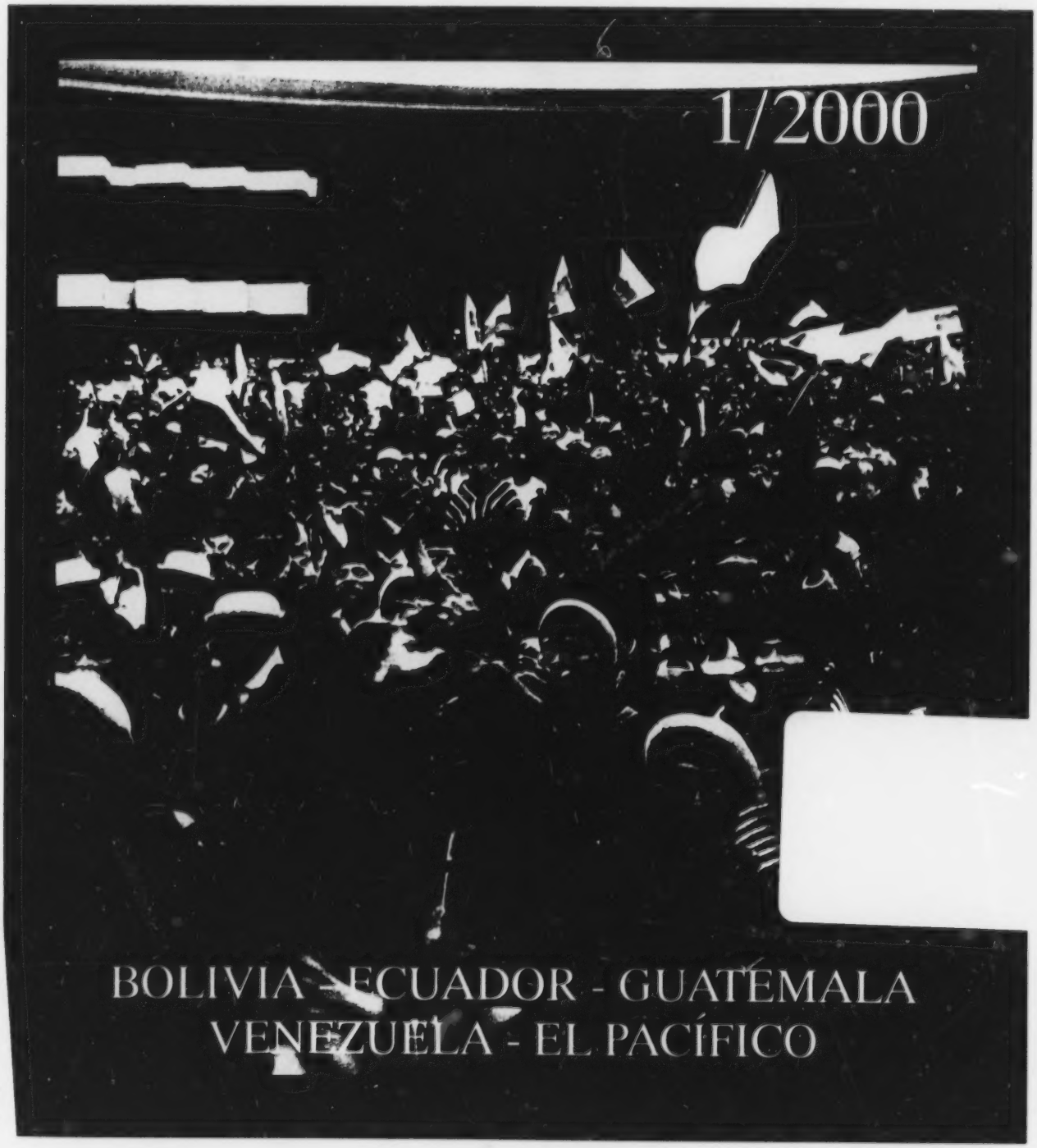

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Cubierta: movilización indígena en Ecuador. Foto: CONAIE

Editorial

Los pueblos indígenas de todo el mundo continúan sufriendo la invasión de sus territorios y el saqueo de sus recursos naturales. Por ello, la creciente amenaza que se cierne sobre las comunidades indígenas ha hecho que la legalización de sus territorios sea una de sus principales reivindicaciones.

En Bolivia, la lucha por el territorio es también la primer prioridad del movimiento indígena En 1996, las organizaciones indígenas protagonizaron una marcha desde las tierras bajas, hacia La Paz, conocida como "Marcha Indígena por el Territorio y la Vida" en la que se logró la aprobación de una ley de tierras, conocida como Ley INRA, y el reconocimiento de 16 territorios indígenas junto a la promesa de su titulación, en el lapso de 6 meses.

Inmediatamente después y gracias al apoyo de la cooperación internacional, en particular del gobierno de Dinamarca, se estableció un programa de cooperación bilateral para implementar la legalización de los territorios indígenas en Bolivia.

El entusiasmo inicial y lo que en un principio se concebía como un proceso relativamente sencillo, mostrando resultados muy poco alentadores. Luego de promulgada la Ley INRA, se han ido fijando engorrosos procedimientos y normas para la titulación de tierras de manera que, hasta el momento, las tierras legalizadas a nombre de las comunidades indígenas, no corresponde a los anhelos de las comunidades ni a los esfuerzos de la cooperación internacional.

El gobierno ha reglamentado una serie de estudios que incluyen la identificación de "las necesidades espaciales" de cada pueblo, de manera que el Estado –y no las mismas comunidades- puedan recomendar la superficie a ser titulada. La metodología utilizada para estos estudios es deficiente, pues la participación indígena es insuficiente y los cálculos utilizados no toman en consideración las formas tradicionales de producción indígena. También se expidieron una serie de resoluciones para "verificar el cumplimiento de la Función Económica y Social de Terceros" que en la practica significa asegurar las propiedades que se han establecido en forma ilegal, en los territorios indígenas.

Los estudios elaborados por el gobierno, significan en la practica una disminución de las tierras demandadas y –como lo expresa la organización indígena CPESC - "esta disminución coincide "casualmente" con la extensión de propiedades de terceros (ganaderos, empresarios, poseedores ilegales) y de las concesiones forestales..."

Las autoridades bolivianas no muestran el suficiente interes para satisfacer la urgente necesidad de solucionar el problema territorial y en repetidas oportunidades, las organizaciones indígenas se han manifestado a favor de una mayor participación indígena en la definición de sus límites territoriales y mayor efectividad por parte del gobierno.

En la medida que la titulación de tierras se dilate, continuan abiertas las posibilidades para nuevas invasiones sobre las tierras indígenas. Se trata, en su mayoria de tierras muy valiosas, con un alto valor en recursos maderables, por lo que existen fuertes intereses para no avanzar en el reconocimiento de los derechos indígenas.

Los programas de cooperación internacional, como el de Bolivia, son extremadamente importantes pues los procesos de ordenamiento territorial son costosos y generalmente pocos estados están dispuestos a dirigir fondos para este fin. Son también procesos complicados, que requieren una alta competencia técnica y capacidad para resolver los conflictos como por ejemplo las compañías madereras o ganaderas. Pero si bien no es una tarea sencilla, es fundamental que las agencias de cooperación hagan cumplir los acuerdos bajo los cuales se establece la financiación de sus programas.

El gobierno boliviano aduce constantemente problemas metodológicos o ineficiencia de sus instituciones, pero pareceria ser que se trata simplemente de una falta de interés para conceder, de una vez por todas, los legitimos derechos de los pueblos indígenas.

Como se ha visto en otras regiones de América Latina, la forma mas efectiva para garantizar la titulación de tierras de acuerdo a los deseos y necesidades de las comunidades, es complementar la cooperación a las entidades estatales con el fortaleciendo a las organizaciones indígenas. En Bolivia, las organizaciones indígenas no cuentan con un equipo técnico suficiente, capaz de sustentar sus reivindicaciones territoriales, ni tienen los medios para acompañar de cerca los trabajos ejecutados por el gobierno boliviano. Bajo estas condiciones, es realmente muy difícil que cualquier proyecto de titulación de tierras tenga éxito.

Pero Bolivia no es una excepción, pues en gran parte de América Latina sigue siendo notable la falta de atención de los Estados a las demandas indígenas. En Ecuador, el movimiento indígena ha sido capaz de canalizar, en los últimos años, las demandas de un amplio sector de la sociedad y no sólo de extracción indígena. En el mes de enero de este año y ante el acelerado deterioro de la situación económica del país, la organización nacional indígena, CONAIE encabezó un levantamiento popular que durante cuatro días bloqueó las rutas de acceso a la capital y congregó a más de 15 mil indígenas. Los manifestantes ocuparon el palacio de gobierno y el presidente de CONAIE pasó a integrar el Triunvirato que derrocaría al presidente Jamil Mahuad. En esta edición, presentamos un análisis de este levantamiento que ha causado gran conmoción en toda América Latina, pues refleja el crecimiento de la pobreza en la región, la fragilidad de las instituciones democráticas y el poder de movilización indígena.

Por su parte, Venezuela vive un período muy especial de su historia, bajo la presidencia de Chávez. Allí, el movimiento indígena alcanzó importantes logros en la reforma de la Constitución Nacional de 1999, por lo que incluimos un informe sobre los derechos alcanzados en la nueva Carta Magna venezolana.

De Guatemala, presentamos un análisis del Acuerdo sobre Identidad y Derechos de los Pueblos Indígenas, donde se reconoce a las instituciones y autoridades indígenas. Este trabajo intenta contribuir a la comprensión del derecho indígena y su funcionamiento en la práctica.

Por último y desde el Pacífico, el Pacific Concern Resource Centre de Fiji preparó una serie de artículos analizando los desafíos actuales que enfrentan los pueblos indígenas de esa región. ❑

BOLIVIA:
LA COOPERACIÓN INTERNACIONAL Y EL SANEAMIENTO Y TITULACIÓN DE TERRITORIOS INDÍGENAS

Ineficiencia del Estado y miopía de la Cooperación Internacional

José A. Martínez M.[1]

1. A manera de introducción

Cuando me solicitaron escribir un artículo sobre los problemas que en la actualidad se presentan para la titulación de los territorios indígenas en Bolivia, dos hechos ocuparon mi memoria:

El primero, el Proyecto de Tierras Bajas de Bolivia financiado por el Banco Mundial entre 1991 y 1995, dirigido a favorecer a los agroindustriales asociados en la Cámara de la Agroindustria del Oriente (CAO). Este proyecto incluyó un programa para sanear y consolidar el territorio de la comunidad *ayoreo* de "Guiraichay" con una extensión de 25.000 has. Una vez ejecutado el proyecto, se consolidaron solamente 700 has. como propiedad de la comunidad. Como resultado del proyecto, se logró además la ampliación desmesurada de la frontera agrícola, con una tala de bosques para habilitar tierras que, entre 1991 y 1992, superó la extensión deforestada acumulada hasta entonces según imágenes LANDSADT del Museo Noel Kempff Mercado, y se desplazó a las poblaciones indígenas de sus espacios tradicionales.

El segundo hecho, es la cooperación de Dinamarca para el saneamiento y titulación de territorios indígenas en el oriente boliviano. Los recursos de esta cooperación y en general los que se perciben con destino a las tierras indígenas, son en gran medida dilapidados por las instituciones que los manejan. Luego de varios años de cooperación con Dinamarca, los resultados para las comunidades hasta hoy son prácticamente inexistentes, porque lejos de que sean titulados los territorios, éstos cada día son invadidos por pobladores no indígenas a los que luego se les legalizan sus posesiones. En los casos de los territorios Weenhayek (reconocido por Decreto Supremo) y Tapieté, el 90% y el 80% respectivamente de sus tierras fueron consolidadas a poseedores ilegales en los resultados preliminares de los respectivos procesos de saneamiento.

Motivado por el hecho de que verdaderamente se solucionen las necesidades de las comunidades indígenas, que han sido los mejores aliados para la conservación de los últimos bosques tropicales, para que sus territorios no continúen siendo fragmentados y se impida el avasallamiento a manos de los que tienen mucha influencia en el aparato del Estado, me permito hacer una reflexión de los resultados del proceso de saneamiento y titulación de territorios indígenas financiado por la cooperación de Dinamarca – DANIDA.

2. El rol de la Cooperación Internacional

El ordenamiento de la propiedad agraria en Bolivia es parte de las políticas de ajuste estructural que son impulsadas por organismos multilaterales, bilaterales y gobiernos amigos. Esto responde a dos necesidades concretas: regular el dinámico mercado informal de tierras que hasta ahora se ha basado en la especulación, el acaparamiento y la usurpación, y garantizar el derecho de propiedad legal sobre las tierras agrícolas del país.

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Las políticas de ajuste estructural, a su vez, tienen que ver con dos fenómenos: la crisis ecológica mundial que obliga a preservar los últimos bosques amazónicos y los cambios que se operan en el comercio mundial ya que, según previsiones de la OMC, a partir del 2005 los controles del mercado pasarán de ser arancelarios a para-arancelarios, como son los certificados de origen, la seguridad jurídica de la propiedad en todos los campos y la protección del medio ambiente, entre otros, para garantizar las nuevas relaciones de mercado abierto.

No es por eso extraño ni casual que muchas entidades estén involucradas en el proceso de ordenamiento de la propiedad agraria con aportes económicos considerables, como se aprecia en la siguiente tabla:

Organismo de Cooperación	Monto en US$.	Destino
Banco Mundial (BM)	20.022.500	Fortalecimiento institucional INRA y ejecución del CAT -SAN (Saneamiento Catastral).
Fondo Nórdico	7.000.000	Catastro de 2.300.000 Has. proyecto "zonas contiguas" de ampliación BM, Dptos. La Paz, Santa Cruz y Cochabamba.
Convenio Subsidiario DANIDA	7.425.530	Saneamiento y titulación de TCOs[2] Iupaguasu, Monte Verde, Guarayos y Tapiete, SAN TCO más de 1 millón Has.
Convenio FIDA (FONAMA–INRA)	954.000	Saneamiento y titulación de TCOs Beni, 400 mil Has.
KADASTER (Donación del Reino Unido de los Países Bajos)	8.820.000	Catastro rural departamento Chuquisaca, 3 millones de Has.

Fuente: INRA, Informe de actividades gestión 1998

3. Cronología de la ineficiencia

El Gobierno de Dinamarca viene financiando desde antes de 1996, programas dirigidos a la titulación de tierras indígenas. A partir de la promulgación de la Ley 1715 del Instituto Nacional de Reforma Agraria, Ley INRA, Dinamarca decide ampliar su apoyo financiero para saneamiento y titulación de las tierras demandadas, como se lee en el cuadro anterior. Para esta época, las expectativas de las organizaciones indígenas y las propias comunidades eran grandes. La aprobación de la ley INRA fue el producto de grandes movilizaciones de las comunidades indígenas y parecía despejar el camino para la titulación de sus territorios indígenas, conforme a su derecho reconocido por la Constitución Política del Estado y por la Ley 1257 (homologación del Convenio 169 de la OIT). La Ley INRA señaló de manera expresa un plazo de 10 meses para la titulación de las tierras comunitarias de origen.

A su vez, se contaba con recursos considerables para cumplir este proceso. Se comentaba entonces que la CIDOB[3] había conseguido una suma considerable de fondos para la titulación de los territorios indígenas, pero que no podía administrarlos de manera directa pues era una ayuda de gobierno a gobierno, aunque los destinatarios eran los pueblos indígenas.

Los fondos se transfieren al Instituto Nacional de Reforma Agraria (INRA) entidad encargada del saneamiento y titulación de tierras en Bolivia y a la Secretaría de Asuntos Étnicos (SAE), hoy Viceministerio de Asuntos Indígenas y Pueblos Originarios (VAIPO), entidad estatal responsable del tema indígena.

El reglamento de la Ley "INRA", la primera trampa

La Ley INRA, en realidad bastante clara, fue complicada por el decreto que la reglamenta, el cual introduce procedimientos que obstaculizan y demoran la titulación: demanda, estudio de caracterización preliminar, georeferencias de los límites de la Tierra Comunitaria de Origen (TCO), resolución de inmovilización, estudio de necesidades espaciales, saneamiento técnico jurídico (dentro de este procedimiento están: la campaña pública, las pericias técnicas de campo con normas desmesuradas y la revisión de gabinete), evaluación técnica jurídica de los resultados del saneamiento, exposición pública de resultados, declaratoria de área saneada y, finalmente, la titulación.

El INRA y la SAE ingeniaron un sinnúmero de pasos para complicar un proceso que en esencia es simple, y debe serlo, pues de lo que se trata es de garantizar un derecho territorial reconocido constitucionalmente. En la Ley 1715 el plazo para la titulación de los TCO es de 10 meses. En el reglamento, todas las etapas enunciadas, realizándose de manera cumplida, tardan más de 700 días. El reglamento o la complejización del proceso de titulación de las tierras indígenas se hizo con la cooperación del Banco Mundial.

Pero los problemas no cesaron con la expedición del reglamento de la Ley INRA, sino que continuaron paso a paso impulsados por las sucesivas administraciones de las instituciones involucradas. Algunos son los siguientes:

a) "**Identificación de necesidades**". La Ley 1715 en una disposición transitoria, señala que la titulación de TCO estará sujeta al "saneamiento" y la "identificación de necesidades". De éstas últimas dos palabras surge, en el reglamento, el "Estudio de Caracterización" y el "Estudio de Identificación de Necesidades **Espaciales**[4]". La SAE realiza los estudios de caracterización para las 16 deman-

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das de TCO contempladas en la Ley INRA y, posteriormente, su sustituto VAIPO, realiza dos versiones del Estudio de Identificación de Necesidades Espaciales. La primera versión de estos estudios fue desechada, luego que el VAIPO creara una metodología para realizarlos y un modelo de cálculo de la "necesidad espacial" basado en el comportamiento del mercado de productos y en el costo de satisfacción de necesidades básicas. Ni la metodología ni el modelo de cálculo responden a la realidad indígena, que en su mayoría mantiene economías de autosubsistencia poco monetizadas.

b) **"Normas técnicas".** La inestabilidad del INRA en sus primeros años, agravada con el cambio de Gobierno en agosto de 1997, dejó algunos estragos. Los sucesivos directores interinos,

c) apostaron a los preciosismos de las normas técnicas. Se buscó la precisión milimétrica del punto georeferenciado, para lo cual INRA adquirió aparatos GPS[5] geodésicos de doble frecuencia, a un costo de 30.000 dólares por unidad (para la toma de un punto se requieren mínimamente tres equipos), para cuyo manejo no había personal capacitado. En el caso de TCO´s, que son territorios relativamente grandes, la precisión milimétrica es irrelevante y bien podían realizarse las mensuras en menor tiempo con equipos de menor precisión y menor costo.

d) **"Manuales de Función Económica Social (FES) y Nulidades".** Bajo la actual administración del INRA, si bien se fueron regularizando muchas anormalidades, también se fueron introduciendo otros preciosismos que trajeron nuevos problemas para la titulación de tierras indígenas. Los manuales para verificar el cumplimiento de la Función Económica Social de propiedades de terceros ubicadas en el interior de la TCO y para identificar nulidades en títulos otorgados en períodos anteriores no sólo son violatorios de la ley sustantiva, sino que están elaborados específicamente para garantizar lo contrario: que no se verifiquen ni la FES ni las nulidades y se consoliden las tierras poseídas ilegalmente por terceros (ganaderos, hacendados y empresas con concesiones forestales), utilizando para ello, además, argumentos como la protección y conservación del medio ambiente.

e) **"Modificaciones al Reglamento de la Ley INRA".** Dado que el reglamento de la Ley fue expedido de manera inconsulta por el Gobierno anterior, las organizaciones indígenas y campesinas impulsaron en el seno de la Comisión Agraria Nacional[6] la concertación de un nuevo reglamento de la Ley. Luego de un año de discusiones, en octubre de 1999, la CAN culminó un proyecto de Decreto Supremo concertado entre los representantes del Gobierno y las organizaciones, que busca adecuar la reglamentación a los términos y objetivos de la Ley. Este reglamento hasta la fecha no ha sido expedido y mientras tanto el INRA continúa emitiendo normas técnicas que contrarían abiertamente el contenido de este proyecto concertado.

Paralelamente, el Gobierno se propone darle un cariz participativo y de consenso a los procedimientos. Mediante mecanismos sutiles como la contratación de dirigentes como "consultores de contraparte indígena" para labores de seguimiento al proceso de titulación, ha intervenido directamente en las decisiones internas de las organizaciones o las neutraliza para que no hagan oposición.

También se han creado instancias de participación, como el Comité Interinstitucional de Tierras Comunitarias de Origen – CITCO en el que participan las organizaciones indígenas y sus asesores y las instituciones competentes del Estado y se implementan mecanismos como reuniones para acordar soluciones a los obstáculos que sucesivamente se van presentando, derivados del reglamento y las normas técnicas. En estas reuniones las organizaciones indígenas y sus asesores presentan sus propuestas para modificar el proceso, hacerlo más ágil y garantizar resultados y para que mínimamente se cumplan las leyes que reconocen los derechos indígenas, pero éstas generalmente terminan en compromisos que nunca se llevan a la práctica y convenios que constan en actas cuya redacción se hace con minucia para que el Gobierno no quede comprometido en nada sustancial.

De esta manera, el proceso de saneamiento y titulación de tierras indígenas, al que están destinados los fondos de cooperación de Dinamarca, ha sido hasta el presente un largo y tortuoso camino, impuesto por el Gobierno para legitimar la reducción de sus espacios territoriales y enredar hasta el máximo su titulación, con lo cual sólo se benefician los terceros y a las concesiones forestales. Luego de cuatro años de la Ley INRA, hasta febrero del 2000, sólo se han titulado 413.018 has. del territorio *guarayo*, cuya demanda total es de 2.205.369 has. El área de titulación de este polígono debía ser de más de 500 mil has., pero se excluyó el área de la Concesión Forestal Lago Verde (43.000 has.) otorgada ilegalmente dentro del territorio demandado por las comunidades, como lo reconoció el informe de la Organización Internacional del Trabajo, OIT ante impugnación presentada por el pueblo guarayo. También se consideró el contrato forestal a "Don Víctor" de más de 50 mil has., el cual fue revocado por la Superintendencia y se encuentra a consideración de la Justicia Agraria.

El resto de los territorios a los cuales está destinada la donación de DANIDA, se mantienen en el interminable proceso y, a no dudar, al momento de la titulación, tendrán también recortes substanciales en su extensión.

4. Miopía de los cooperantes

Todos los problemas señalados que se cometen en el proceso para la titulación de las TCO se hacen ante los ojos de las agencias cooperantes. En Danida, se conoce bien este proceso y en más de una oportunidad las organizaciones les han señalado estas anormalidades y planteado alternativas.

Cuando los cooperantes intervienen ante el Gobierno, éste, a través del Viceministerio de Asuntos Indígenas, recurre entonces a su vieja práctica de hacer reuniones para llegar a acuerdos que nunca se cumplen y se implementan mecanismos para distraer la atención de quienes critican la falta de resultados. En noviembre de 1999 se realiza un taller de tres días para modificar la metodología del Estudio de Necesidades Espaciales y el modelo de cálculo. Al final de infructuosas

discusiones, se suscribe un acuerdo que poco o nada cambia las cosas, porque el Gobierno boliviano no está interesado en que se solucionen estos problemas y se titulen las tierras a indígenas. En enero de este año, el VAIPO y el INRA, en presencia de la Embajada de Dinamarca, propusieron a las organizaciones indígenas la titulación de sus tierras por polígonos, para mostrar resultados que en la realidad no lo son si se considerann los recursos invertidos, el tiempo transcurrido y los derechos reconocidos por la Constitución y la Ley a los pueblos indígenas. Muchos pueblos están de acuerdo con esta forma de titulación, pero otros no lo están, como en el caso del Territorio Chiquitano de Monte Verde.

Resulta comprensible que los dirigentes indígenas acepten estos acuerdos y confíen en las autoridades, porque todavía no pierden la esperanza de ver titulados sus territorios. Pero lo que es incomprensible es que los representantes de Danida no vean que todas las medidas provenientes de INRA y el VAIPO apuntan al desconocimiento de los derechos territoriales indígenas, para garantizar en cambio las tierras de las comunidades a los terceros que las han usurpado y mantener así las concesiones forestales ilegales. Las agencias de cooperación no deben permitir que se continúen gastando los recursos de esta manera y deben exigir al Gobierno adoptar correctivos eficaces para solucionar los problemas reseñados, más allá de los simples acuerdos que suscriben con las organizaciones indígenas, aunque también verificando en la práctica, que éstos se cumplan.

Sugerencias

En otras oportunidades ya se ha señalado que este tipo de "ayudas" no le hacen bien a los pueblos indígenas, primero porque no se benefician con "casi nada" y más bien se benefician los que históricamente les han usurpado sus tierras y, segundo, porque se alimentan falsas expectativas que al momento de ver que no se cumplen provocan un descreimiento de las comunidades en los procesos que emprenden para el reconocimiento de sus derechos.

Para solucionar las irregularidades de los procesos que financian las agencias de cooperación y re-encauzar ésta por el rumbo que originalmente se propone, es necesario un cambio en las políticas de los cooperantes o una mayor exigencia y vigilancia sobre la inversión de los recursos y el logro de resultados para que beneficien efectivamente a las poblaciones destinatarias de sus aportes.

En lo que a los pueblos indígenas se refiere, en mi opinión sería mejor que los recursos llegaran directamente a las organizaciones a través de un fondo fiduciario para que sean éstas sean las promotoras de su propio desarrollo. No lo harían peor que el Estado. Las organizaciones indígenas ya tienen experiencia de administrar otros fondos de manera directa, como es el Plan de Desarrollo de Pueblos Indígenas (PDPI), con los que se sanearon y titularon los 4 primeros territorios indígenas en menos de un año, en convenios específicos con INRA. Transferir el manejo de los fondos del Estado a las organizaciones, no paralizará el proceso de titulación y permitirá que las comunidades incrementen sus capacidades de gestión y de negociación para que el proceso avance de verdad y puedan consolidar sus derechos sobre las tierras comunitarias de origen, antes de que estas pasen en su totalidad a manos de las empresas forestales, los empresarios del agro o los megaproyectos.

Finalmente, es necesario generar una sinergia del proceso pues, tal como está, no puede continuar. Deben promoverse acciones entre todos los sectores interesados en que se titulen los territorios indígenas y exigir del gobierno boliviano un saneamiento integral y de corto tiempo para evitar las especulaciones de tierras a la sombra del poder político y, sobre todo, evitar que bajo el argumento de sanear los territorios indígenas, se sigan saneando las propiedades privadas de no-indígenas, como viene ocurriendo hasta el presente.

Con ello, la gente que de manera directa o indirecta a través de sus tributos quiere aportar al bienestar de las poblaciones indígenas y que está interesada en la conservación de los últimos bosques tropicales, verá la eficacia de sus aportes.

Santa Cruz, 12 de febrero del 2000

Notas

1 José Martínez es sociólogo. En la actualidad se desempeña como Coordinador del Plan de Desarrollo Indígena (PDI) y ha sido,en el último periodo, coordinador del Centro de Planificación Territorial Indígena de la CIDOB.

2 Tierras Comunitarias de Origen

3 Confederación de Pueblos Indígenas de Bolivia

4 Remarco "espaciales" porque aquí se consuma la trampa, pues este aditamento permite justificar al Estado, a través de VAIPO, recomendar la superficie que necesitan los pueblos indígenas, vulnerando de esta manera el derecho que tienen a sus espacios tradicionales.

5 Sigla en inglés del Sistema de Posicionamiento Global.

6 La Comisión Agraria Nacional, CAN, fue creada por la Ley INRA como el órgano responsable de proyectar y proponer políticas agrarias. Entre sus funciones se destacan la de proyectar y proponer disposiciones legales en la materia. Está integrada por las instituciones gubernamentales competentes en el tema agrario y las organizaciones sociales representativas del sector agrario. ❑

BOLIVIA: LAS POLÍTICAS GUBERNAMENTALES PARA RESTRINGIR LA TITULACIÓN DE TIERRAS

Por la Coordinadora de los Pueblos Étnicos de Santa Cruz, CPESC

Los Pueblos Indígenas llevamos ya varios años esperando que nuestros territorios ancestrales nos sean titulados definitivamente en propiedad. Desde 1996, luego de la Marcha Indígena por el Territorio y la Vida, la Ley 1715 del Servicio Nacional de Reforma Agraria o Ley INRA, reconoció 16 demandas de Tierras Comunitarias de Origen – TCO, y ordenó que las mismas nos fueran tituladas en un plazo de 10 meses. Igualmente ordenó la titulación inmediata de los territorios reconocidos a la fecha por Decreto Supremo.

A casi cuatro años de esta importante conquista de nuestros pueblos, no tenemos aún resultados satisfactorios. Y no sólo eso, las políticas del Gobierno cada día se dirigen a poner trabas y obstáculos para el reconocimiento de nuestros derechos territoriales y promueve normas y disposiciones que recortan sustancialmente las tierras comunitarias que nos reconoció la Ley INRA.

El Proceso desde 1996: involución de nuestros derechos

Una vez promulgada la Ley INRA en octubre de 1996, era necesario para el Gobierno conseguir recursos financieros para iniciar el nuevo proceso de reforma agraria. La cooperación internacional se dejó sentir con sus aportes, conscientes del grave problema de tenencia de tierras que se vive en el país y de la importancia que para los pueblos indígenas tiene la garantía y seguridad sobre los territorios históricamente poseídos.

Antes de la Ley INRA, en julio del mismo año, había sido promulgada la Ley 1700 o Ley Forestal, en la cual también fueron reconocidos nuestros derechos sobre nuestras tierras forestales y salvaguardado el uso y aprovechamiento de los recursos naturales por las comunidades. Esta Ley prohibió el otorgamiento de concesiones forestales en las TCO y en propiedades particulares.

Hasta entonces todo parecía muy bien para nuestros pueblos. El proceso de reversión, comenzó muy entrado el año 97. La Superintendencia Forestal otorgó sendas concesiones forestales sobre nuestros territorios reconocidas en la Ley 1715. No obstante las impugnaciones presentadas en el país, y la recomendación de la O.I.T. por haberse otorgado estas concesiones con violación de nuestros derechos, el Gobierno no da marcha atrás a esta medida y, por el contrario, busca que las concesiones se consoliden definitivamente durante los procesos de saneamiento de nuestras tierras.

Antes de finalizar el período del Gobierno de Sánchez de Lozada, éste expidió un Decreto Supremo reglamentario de la Ley INRA, borrando con el codo lo escrito con la mano. Las conquistas de la movilización masiva de nuestras comunidades se vieron considerablemente disminuidas. El plazo para la titulación de los 16 territorios demandados, resultó duplicado con todos los trámites que este decreto establecía para el procedimiento.

El D.S. 24784 estableció la realización de unos estudios dirigidos a identificar las necesidades espaciales para nuestra subsistencia y desarrollo y recomendar las extensiones que nos debían ser tituladas, como si se tratara de que el Estado nos regalaría tierras, en lugar de reconocer y titular las que simplemente nos pertenecen por derecho propio, como lo dispone la Constitución Política del Estado.

Para antes de este estudio, requirió que se realizara otro estudio de caracterización de nuestras demandas. Así, la iniciación del proceso contaba con tres estudios sobre un mismo territorio: el que realizamos directamente los pueblos indígenas con apoyo técnico también de O.N.G. y la cooperación internacional para sustentar nuestras demandas; el de caracterización (sobre lo mismo) realizado por la Secretaría de Asuntos Étnicos en el Gobierno anterior, y el estudio de necesidades espaciales que estaba realizando el Viceministerio de Asuntos Indígenas y Pueblos Originarios, institución que en el nuevo Gobierno sustituyó a la Secretaría de Asuntos Etnicos.

Una vez instalado el nuevo Gobierno del General Banzer, comenzaron a realizarse estos últimos estudios. Pero parece que al Gobierno no le pareció adecuado que estos arrojaran resultados favorables a nuestras demandas y decidió inventarse una metodología para realizarlos y un modelo para calcular nuestras necesidades, y ordenó que se realizaran de nuevo.

La metodología resultó aún más restrictiva que el reglamento. Este último ordena que los estudios se realicen teniendo en cuenta las características sociales, económicas y culturales de nuestros pueblos; la metodología, en cambio, sólo las tiene en cuenta para describir a las comunidades demandantes, pero no para calcular la tierra que según el reglamento necesitamos. Los cálculos los realiza tomando como referentes modelos de producción diferentes a los nuestros, bajo el supuesto de que los pueblos indígenas debemos cambiar para acomodarnos a la economía de mercado y producir como lo hacen los empresarios. Y, de manera explícita, nos impone el abandono de nuestras prácticas tradicionales de caza, pesca y recolección, que han sido una de nuestras principales fuentes de subsistencia, considerando que estas prácticas deterioran el medio ambiente. ¿Acaso nuestros territorios no se han conservado durante varios siglos con estas prácticas de subsistencia? Son justamente las tierras que han sido desmontadas para realizar agricultura intensiva y producción ganadera extensiva, las que han ido paulatinamente deteriorando el medio ambiente. No nuestras prácticas tradicionales.

El Viceministerio ha realizado varios estudios que han sido impugnados por los pueblos demandantes. Los problemas derivados de la metodología y el modelo de cálculo han conducido a que la extensión de las Tierras Comunitarias a titular resulte menor a la demandada. En varios casos esta disminución "casualmente" coincide con la extensión de propiedades de terceros (ganaderos, empresarios, poseedores ilegales) y de las concesiones forestales

que de manera ilegal el Gobierno otorgó a empresarios sobre nuestras tierras.

Una vez detectado por las organizaciones que el problema no eran los estudios en sí mismos, sino la guía metodológica con la que éstos se elaboraban, exigimos al Gobierno la modificación de la misma, pero el Viceministerio (VAIPO) se negaba a ello. Los estudios y la metodología son un instrumento perfecto para darles carácter técnico y jurídico a las decisiones políticas para la titulación de nuestras tierras. Prueba de lo anterior es que en el caso del Territorio Guarayos, el estudio recomendó la titulación de menos de la mitad del área demandada. Ante las protestas de las comunidades y organizaciones y las presiones que realizaron, el VAIPO suscribió un acuerdo para aumentar la extensión recomendada, la cual posteriormente justificó "técnicamente".

Para que el Gobierno accediera a modificar la metodología, fue necesario que las agencias que financian este proceso presionaran con la amenaza de suspender sus aportes. Con estas amenazas se realizó un intento de concertación entre el Gobierno y las organizaciones indígenas para definir las modificaciones, el cual, a pesar de haber finalizado con un acuerdo general, aún no arroja resultados positivos. El Viceministerio encargado de realizar los estudios, ha enviado una "nueva guía metodológica" que no modifica lo anterior en nada de fondo, burlando los acuerdos suscritos con nuestras organizaciones.

Nuevos requerimientos técnicos para disminuir nuestras tierras

El Director Nacional de INRA, en ejercicio de su atribución de dictar "disposiciones técnicas" para llevar adelante el proceso de reforma agraria, ha expedido una serie de resoluciones que efectivamente están dirigidas a recortar las tierras que nos deben titular a los pueblos indígenas. Por un lado, aprobó un manual para verificar el cumplimiento de la función económico social de las propiedades de terceros, la que les daría derecho a dotación, el cual está orientado a consolidar todas las posesiones que ilegalmente se han establecido en nuestras tierras comunitarias de origen. Aprobó también una guía para verificar nulidades que permite que éstas se saneen a fin de dotar las tierras a los terceros beneficiarios de los procesos agrarios irregulares que se tramitaban con anterioridad a la Ley INRA.

Estas resoluciones contrarían abiertamente a la Ley INRA y al Decreto que la reglamenta, permitiendo que nuestras tierras se legalicen a terceros invasores. Y no obstante que el propio Director del INRA es consciente de ello, hasta ahora no ha sido posible lograr que se ajusten a derecho.

Muchos de estos problemas se pueden solucionar con la expedición de un nuevo reglamento a la Ley, el mismo que ya ha sido concertado en la Comisión Agraria Nacional donde confluyen todas las instituciones de gobierno competentes y las organizaciones de los sectores agrarios. Desde el mes de octubre, a casi un año de haber acometido la tarea de revisar el reglamento vigente, esta Comisión logró concertar un nuevo proyecto de Decreto Supremo. Pero hasta el presente éste no ha sido promulgado. No obstante, el INRA se había comprometido a modificar los manuales aludidos, pero a última hora se escuda en que el Decreto nó ha sido expedido. Nos preguntamos: ¿Por qué no se ha promulgado el nuevo reglamento de la Ley INRA? Todo parece indicar que al Gobierno no le interesa solucionar estos problemas.

El caso de la TCO Monte Verde: todos contra uno

Luego de que problemas con la titulación de los Territorios Guarayo y Ayoreo fueran solucionados en su momento por la presión de las comunidades y organizaciones, ahora tenemos de nuevo problemas con el Territorio Monte Verde del Pueblo Chiquitano de San Javier, Concepción y Lomerío.

La demanda de Monte Verde fue presentada y admitida por el INRA en 1996 por una extensión de 1.059.964 has. En 1997 se otorgaron concesiones forestales en su interior por una extensión de 122.431 has., contrariando la Ley INRA, la Ley Forestal, la Constitución Política y el Convenio 169 de la O.I.T. Haciendo los cálculos con los avances del proceso de saneamiento que hasta ahora se viene adelantando, las tierras que reclaman terceros en el interior de este territorio con posibilidades de reconocimiento, suman aproximadamente 110.000 has. El estudio de necesidades espaciales entregado por VAIPO en julio de 1999 recomienda la titulación de 828.000, casualmente lo que quedaría descontando las posesiones legales y algunas ilegales de terceros, y las concesiones forestales.

El estudio ha sido observado por las organizaciones representantes del Pueblo Chiquitano debido, entre otras cosas, a que la información tanto de población como de actividades económico productivas de las comunidades, no coincide con la realidad. Este estudio cuenta con una población demandante de 11.930 habitantes, cuando según los datos oficiales del Instituto Nacional de Estadística, ésta supera los 20.000 habitantes. En reunión realizada con el Viceministerio las comunidades exigieron la revisión y modificación del estudio con base en datos reales, con lo cual la extensión recomendada daría incluso más de la demandada. Se acordó que la revisión y ajustes a este estudio se realizaría de común acuerdo entre ambas partes, pero el Viceministerio lo hizo unilateralmente, anunciando que estaban dando cumplimiento a los acuerdos, y sin incorporar la información real de las comunidades. Nuevamente las organizaciones han objetado el estudio y enviado una nueva propuesta.

Paralelamente, el INRA venía realizando las evaluaciones de las propiedades reclamadas por terceros, con los manuales para verificación de la Función Económico Social y de nulidades que permiten que todas las propiedades ilegales se consoliden. Las organizaciones del Pueblo Chiquitano, exigieron la suspensión de este proceso mientras se modifican esos manuales. En respuesta, el Director Nacional del INRA, les acepta su petición y además decide unilateralmente suspender todo el proceso de saneamiento, cosa que es abiertamente ilegal y nadie le ha solicitado. Como quien dice, a manera de chantaje: si no quieren que se consoliden las propiedades de terceros, no continuamos el proceso.

El Pueblo Chiquitano solicitó también que su territorio fuera titulado en su totalidad y no por polígonos, debido a que se han realizado acuerdos entre las organizaciones, el Gobierno y las agencias cooperantes, para ir titulando por partes las Tierras Comunitarias de Origen. El Pueblo Chiquitano no acepta esto, porque teme que con dicha medida lo que se logra es ocultar la realidad de las dificultades por las que está pasando el proceso de titulación y se corre el riesgo de que su territorio termine indefectiblemente dividido y reducido. Después de esperar cuatro años para que salgan sus títulos, es preferible esperar unos meses más para que salgan bien a que salgan ahora pero reduciendo su territorio en áreas estratégicas y de manera ilegal.

No sabemos hasta el momento que va a suceder. Pero lo que sí está claro es que el Pueblo Chiquitano defenderá su territorio de las usurpaciones que pretende legitimar el Gobierno con sus afanes de última hora.

Las políticas del Gobierno se expresan en otras normas

Los problemas no son sólo con el saneamiento y titulación de los territorios indígenas, el Gobierno busca afanosamente nuevos mecanismos para repartir tierras a sus amigos empresarios. En agosto de 1999, el Director Nacional del INRA, expidió la Resolución 098/99 reglamentando un procedimiento muy ágil para declarar tierras fiscales disponibles para concesiones. Está previsto realizar este proceso en 60 días mientras el saneamiento de nuestros territorios por reglamento tarda casi dos años y en la práctica lleva casi cuatro; y mientras a los campesinos no se les puede titular hasta cuando culmine el saneamiento de la propiedad agraria en el país. Esta resolución, que es abiertamente contraria a todo el ordenamiento jurídico del País, en especial a la Ley INRA y Forestal y a la Constitución Política, se viene aplicando para entregar a los concesionarios forestales un área del Bosque Seco Chiquitano, que históricamente ha sido fuente de recursos de subsistencia de los pueblos ayoreo y chiquitano.

Las organizacions indígenas afectadas, hemos demandado la inconstitucionalidad de esta resolución pero en un fallo completamente carente del más mínimo análisis, el nuevo Tribunal Constitucional ha negado nuestras demandas. Los únicos argumentos que tuvo en cuenta fueron los expresados por el Director del INRA, que se apoyan en razones de conveniencia para la economía nacional; esto es, para las empresas forestales.

En la misma dirección, el Gobierno ha expedido un Decreto Supremo para que las explotaciones de goma y castaña, que se realizan en territorios amazónicos habitados y accedidos ancestralmente por pueblos indígenas, sean convertidas al régimen de concesiones a 40 años prorrogables. Este decreto permite además que las áreas comprendidas por estos empresarios sean tituladas en su favor, desconociendo los derechos de campesinos e indígenas que habitan esa importante región y permitiendo que se consoliden latifundios[1] en manos de los que históricamente han avasallado las tierras indígenas y esclavizado a las comunidades.

Las organizaciones indígenas, campesinas y de colonizadores de la región amazónica se están movilizando contra la aplicación de este decreto que legitima la usurpación de sus tierras.

A manera de conclusión

Revisados estos antecedentes, es claro que el problema no está en cada demanda ni en cada situación que se presenta con la titulación de nuestras tierras. El problema no está en la guía metodológica del estudio de necesidades espaciales ni en los manuales para verificar la Función Económico Social y las nulidades, tampoco está en la ineficiencia de las instituciones ni en la falta de recursos presupuestales para titular nuestras tierras.

El problema radica en las políticas del Gobierno que busca por todos los medios evitar que nuestras tierras sean tituladas, conforme a nuestro derecho, para favorecer los intereses de terceros y empresarios amigos. Para ello, establece obstáculos en los trámites más sencillos, tergiversa intencionadamente la información, y expide normas supuestamente técnicas y jurídicas, como los manuales para verificación de FES y nulidades, la guía metodológica para identificar necesidades espaciales de los pueblos indígenas, la Res. 098/99 para declarar tierras fiscales disponibles para concesiones, el Decreto Supremo 25532 para incorporar al régimen de concesiones las explotaciones de goma y castaña y titular las tierras a los empresarios.

Cuando la presión de las organizaciones logra remover un obstáculo, surge uno nuevo.

El Gobierno no escatima las violaciones más flagrantes a la legislación nacional, empezando por la propia Constitución Política del Estado, a fin de lograr su cometido. Y la justicia en nuestro país parece también actuar en connivencia con estos intereses. Contra todas las evidencias, la instancia jurisdiccional más importante del país, como es el Tribunal Constitucional, cierra ojos y oídos para darle la razón al Gobierno y negar nuestros derechos. La Corte Suprema de Justicia, a más de dos años de que fueran demandadas las concesiones forestales otorgadas ilegalmente en nuestras TCO, aún no se pronuncia y no creemos que lo haga favorablemente a nuestros derechos.

Las recomendaciones del Consejo de Administración de la O.I.T. al Gobierno con motivo del otorgamiento de concesiones forestales en nuestros territorios, son desoídas.

Todo lo anterior nos indica que los pueblos indígenas estamos condenados a librar una interminable lucha por la vigencia de nuestros derechos, a cada paso, a cada momento, frente a cada una de las instituciones que intervienen en el proceso, recurriendo para ello a situaciones de hecho, porque las vías institucionales demostradamente no funcionan. De no ser así, nuestros derechos nunca serán reconocidos en la práctica.

Los Pueblos Indígenas de Bolivia nos aprestamos nuevamente a movilizarnos para que nuestros territorios no sean entregados a los explotadores de recursos forestales maderables y no maderables, para que nuestras tierras no sean tituladas a senadores, avasalladores y amigos de los gobernantes de turno, para que nuestros derechos no sean más pisoteados bajo argumentos técnicos y jurídicos que lo único que buscan es borrar de las normas nuestros derechos reconocidos constitucionalmente.

José Bailaba Parapaino
PRESIDENTE CPESC

Agustín Parapaino
SEC. Organización

Manuel Dosapey
SEC. ECONOMÍA

Rebeca Chiqueno
SEC. SALUD

Tomás Pérez
SEC. COMUNIC.

Santa Cruz de la Sierra, 18 de febrero de 2000

Nota

1 Según datos de la Superintendencia Agraria (Carta dirigida al Ministro de Desarrollo Sostenible y Planificación el 16 de noviembre de 1999), aproximadamente 3 millones de hectáreas quedarían en manos de los empresarios, lo que equivale al 48% de las tierras en el Departamento de pando. ❑

EL PROCESO DE SANEAMIENTO Y TITULACIÓN DE TIERRAS COMUNITARIAS DE ORIGEN

Por la Confederación de Pueblos Indígenas de Bolivia (CIDOB)

Antecedentes

La Constitución Nacional en su articulo 1ro. establece que Bolivia es un país multiétnico y pluricultural, y en los hechos, más de la mitad de su población nacional es indígena, con formas institucionales y de organización particulares. Esta situación demuestra claramente que la presencia indígena en Bolivia no es marginal, sino por el contrario, se constituye en una transversal del Estado y de la sociedad nacional.

Después de siglos de marginamiento, los pueblos indígenas empezamos a organizarnos y movilizarnos por nuestros territorios, nuestra identidad cultural y respecto a nuestro desarrollo. En el año 1990 marchamos por el Territorio y la Dignidad, logrando que se nos reconozcan nuestras demandas de territorios en la región amazónica y además se logre el compromiso de reforma de las estructuras constitucionales y legales; en 1996 volvimos a marchar por la seguridad jurídica de nuestros Territorios, logrando la aprobación de la llamada ley INRA y la Ley Forestal; en el marco de la aprobación de la Ley INRA, se estableció que se nos garantice la titulación y el saneamiento de 16 demandas de territorios indígenas (TCO) ubicadas en el oriente del país, Chaco y Amazonía, las cuales actualmente está en pleno proceso de consolidación.

Con nuestras movilizaciones logramos que la sociedad civil y política, conozca, asuma y promueva nuestros derechos y que otras leyes del país incluyan los derechos indígenas, que las instancia de gobierno, (nacional, departamental y municipal), empiecen a tomarnos en cuenta en la definición de políticas y en la ejecución de programas y proyectos que atañen o involucren nuestros intereses. El tema de los derechos y el desarrollo de los pueblos indígenas, ha sido incluido en la agenda de gobierno y las organizaciones no gubernamentales, comienzan a ceder el protagonismo legítimo a las propias organizaciones y autoridades indígenas. Por su parte, los organismos de cooperación multilateral y bilateral definieron políticas y directivas operacionales claras a favor de nuestras demandas y problemáticas.

El rol de las organizaciones indígenas

En el escenario de nuestras movilizaciones y demandas; las organizaciones indígenas en ningún momento cedimos nuestro derecho a participar activamente en todo el proceso de titulación de nuestras tierras comunitarias de origen, y así lo seguiremos haciendo. Desde la formulación de la Ley INRA, hasta la elaboración de las necesidades espaciales y el seguimiento al saneamiento, siempre nuestro concurso fue amplio y positivo. Dirigentes y técnicos indígenas hemos trabajado aunque con limitaciones económicas y materiales con el fin de lograr que se tomen en cuenta nuestras prioridades y garanticen los derechos demandados.

Nuestras demandas se han centrado, en que nuestros derechos puedan ser compatibilizados con el derecho de otros bolivianos, porque también somos claros en afirmar que no se debe seguir marginado y excluyendo a los pueblos indígenas; seguiremos exigiendo un trato de igual a igual; para ello hemos promovido insistentemente el diálogo y la concertación. Actualmente CIDOB junto con otras organizaciones indígenas y originarias de representación nacional, hace parte de la Comisión Agraria Nacional, del Consejo de Pueblos Indígenas y Originarios y de otras instancias de concertación y definición de políticas, lo que implica mayor esfuerzo por exigir el cumplimiento de los compromisos asumido por las instancias de Gobierno.

Nuestra posición sobre el proceso de saneamiento y titulación

Insistentemente como CIDOB, hemos reclamado la institucionalización del Instituto Nacional de Reforma Agraria (INRA) y la participación indígena en todas las instancias del Estado que tienen que ver con el saneamiento y la titulación de nuestros territorios, Ministerio de Desarrollo Sostenible, Viceministerio de Asuntos Indígenas y Pueblos Originarios (VAIPO) y otras. Desde la promulgación de la Ley INRA (octubre de 1996), el Gobierno ha actuado con suficiente lentitud y demora, hecho que ha generado permanentemente incumplimiento con los plazos previstos por la misma Ley, lo que ha servido como parte de las tantas justificaciones, pero lo real es que el saneamiento y titulación de las 16 demandas de TCOs sufrieron demoras, lo que ha permitido a nuevos asentamiento de los llamados terceros en desmedro de nuestras demandas amparadas por la ley.

Asimismo, es bueno señalar, que se han establecido instancias que faciliten la coordinación y comunicación entre nuestras organizaciones con el VAIPO y el INRA, además de la realización de las reuniones de CITCO (Comité Interinstitucional de Tierras Comunitarias de Origen), donde continuamente se han establecido las prioridades de las demandas. Es así que el 14 de enero del presente año, se concluyó un acuerdo entre CIDOB y la cooperación, el VAIPO y el INRA para la continuidad de la Titulación, de ésta

reunión se concertó mediante cronograma, la titulación de seis territorios indígenas hasta abril de este año. Como organización indígena contiamos que este acuerdo será cumplido; y para ello seremos vigilantes y ademas participaremos en todas las acciones que se requieran.

Las organizaciones indígenas creemos que pese a las demora e inconvenientes de carácter técnico e institucional, se están estrechando voluntades de avanzar con la titulación de nuestros territorios, de manera que, no sólo estaremos cuestionado, sino ante todo, proponiendo soluciones para lograr consolidar nuestros derechos como pueblos indígenas sobre nuestros territorios.

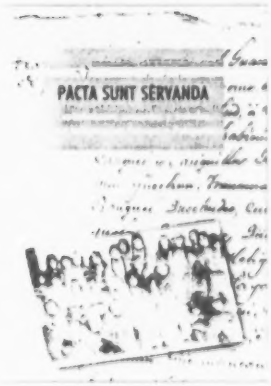
El acompañamiento de la cooperación

Desde que en el país se empezó a discutir la Nueva Ley INRA, la cooperación internacional comprometió su concurso y apoyo técnico y financiero para consolidar y garantizar el derecho de los pueblos indígenas sobre sus territorios, se puede destacar que la cooperación no solo ha apoyado con recursos financieros al indígena de los pueblos beneficiados. En el caso concreto de la cooperación del Reino de Dinamarca -que coopera mediante el Programa Sectorial Pueblos Indígenas, Descentralización y Participación Popular- financia al Estado para los procesos de los Estudios de Necesidades Espaciales y el Saneamiento de las TCOs. La cooperación también ha posibilitado que técnicos indígenas participen en todos estos trabajos. Queremos enfatizar la necesidad de que para la participación como organización a través de nuestros niveles y estructuras, se debe contar con el apoyo financiero respectivo, para que nuestra participación sea eficaz y efectiva; especialmente en lo que corresponde a movilización (transporte viáticos y equipamiento), además, en el apoyo de nuestro Centro de Planificación Territorial Indígena, CPTI. Como instancia técnica propia; esta asignación permitirá realizar el acompañamiento en todas las fases del proceso de saneamiento y titulación de nuestras TCOs.

Finalmente, es importante hacer notar que como pueblos indígenas organizados, tenemos nuestros propios canales y formas de expresar nuestras demandas y problemáticas. Nuestras organizaciones legítimas, toman sus decisiones mediante sus instancias organizativas creadas de manera autónoma, por lo que nuestra posición, sólo se expresa por sus instancias naturales.

Directorio de la Confederación de Pueblos Indígenas de Bolivia, Cidob

PACTA SUNT SERVANDA



CAPITULACIONES, CONVENIOS Y TRATADOS CON INDÍGENAS EN PAMPA Y PATAGONIA (ARGENTINA 1742-1878)

Adoptando la recomendación de Naciones Unidas de efectuar una recopilación y análisis a escala mundial de tratados oportunamente firmados por pueblos indígenas con estados o poderes coloniales, este libro presenta diez y seis documentos subscriptos entre 1742 y 1878 en Argentina.

Se incluyen también dos comentarios escritos por la comunidad Tremketuayiñ del Pueblo Mapuche y la comunidad del Pueblo Rankülche y una carta presentada al rey de España Juan Carlos de Borbón en ocasión de su participación en la Quinta Cumbre de Presidentes de Estados y de Gobierno de Hispanoamérica, realizada en la ciudad de Bariloche, en octubre de 1995. En ella se demanda del rey que reconozca las responsabilidades de España en el sometimiento del Pueblo Mapuche.

Finalmente se transcriben los acuerdos y tratados firmados, completándose la edición con mapas y fotos de la época.

NUEVO DOCUMENTO DE IWGIA

Documento IWGIA no. 29, 2000 Por Claudia Briones y Morita Carrasco
208 pag. con ilustraciones. US$ 13.- + franqueo

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ECUADOR: LA FUERZA DE LAS PRIMERAS NACIONES

Por Carlos Viteri Gualinga

Eran las once con cuarenta minutos, la noche del 21 de enero del 2000, cuando en el balcón del mismísimo Palacio de Carondelét - como se denomina la casa de gobierno de Quito, Ecuador - se anunció al país el establecimiento de un nuevo gobierno denominado "Junta de Salvación Nacional". El Parque de la Independencia ubicado frente al palacio de gobierno, así como las calles circundantes, se hallaban atestadas de miles de manifestantes, que agitaban banderas multicolores y declamaban frases contra la corrupción, el mal gobierno y aclamaban lo que acontecía.

El hecho no habría causado tanta expectativa, si los actores de la protesta hubieran sido sectores sindicales, estudiantiles o pobladores urbanos y, si dicha Junta. lo hubiesen integrado solamente militares, o políticos tradicionales, como históricamente ha ocurrido en este país que en los últimos tres años ha tenido cuatro presidentes de la República.

Lo que convocó la atención internacional y, al mismo tiempo, una preocupación insospechada en los sectores del poder político y económico, fue que el actor central de este movimiento era la Confederación de Nacionalidades Indígenas del Ecuador (CONAIE), que representa alrededor del 45% de la población ecuatoriana que conforman los indígenas en este país. Otro hecho relevante lo constituyó la composición de la Junta que, entre sus tres miembros, incluía además de jefe de las fuerzas armadas del Ecuador, a nada más ni nada menos que al presidente de la CONAIE Antonio Vargas Guatatuca, un *quichua* amazónico de la región del Pastaza.

Antonio Vargas lideró el levantamiento indígena, (que supuso el cierre de carreteras y la toma progresiva de Quito que entre el 17 y 21 de enero congregó en la capital a mas de 15 mil indígenas); la ocupación simultánea –en la mañana del 21 de enero- del Palacio legislativo, la Corte Suprema de Justicia, la Contraloría General del Estado y la Procuraduría y la toma final del palacio de Gobierno; integró el Triunvirato, y alcanzó uno de los objetivos centrales del levantamiento: la salida del Presidente Jamil Mahuad. El preámbulo de ésta movilización de escala nacional, constituyó la instalación de

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Asambleas provinciales denominados "Parlamentos" durante la primera semana de enero, cuyos representantes se dieron cita masivamente en Quito el martes 11 de enero, para constituir el denominado "Parlamento Nacional de los Pueblos del Ecuador", con la presencia de diversos sectores sociales, en donde se reafirmaron las demandas, objetivos y estrategias del levantamiento.

En la madrugada del 22 de enero, uno de los integrantes de la Junta, el General del Ejército Carlos Mendoza, renunciaba al Consejo de Gobierno (al que tres horas antes había jurado integrar) bajo presiones del Departamento de Estado de los Estados Unidos. Esto dio paso a la inmediata disolución de la Junta. A las siete de la mañana del mismo día, el Vicepresidente de Mahuad, Gustavo Noboa, era posesionado como nuevo Presidente del Ecuador por parte de las Fuerzas Armadas, en el Ministerio de Defensa. Dos hora más tarde retornaron a sus comunidades los aproximadamente 15 mil indígenas que habían tomado Quito.

Tras estos hechos, la lectura y los pronunciamientos de los medios de comunicación y sectores políticos se tradujeron en: "Indios fracasaron en su intento de tomar el poder por la vía inconstitucional"; "los indios quieren imponer a todos su cosmovisión"; "indios golpistas"; "indios manipulados por los militares"; "indios y militares protagonizan un viernes negro", etc.

Las demandas centrales del levantamiento, apoyadas por casi todo el país fueron: La renuncia del Gobierno de Mahuad; la revocatoria de los poderes Legislativo y Judicial y su reestructuración; revocatoria de la medida de dolarización; no a las privatizaciones; devolución de las cuentas bancarias congeladas (desde hace más de un año); prisión y extradición de políticos y banqueros prófugos de la justicia e incautación de sus bienes; y supresión de la base norteamericana establecida en el puerto de Manta (Océano Pacífico). Como se evidencia, estas demandas apuntan a una de las causas centrales de la aguda crisis económica y social en que se debate el Ecuador: la corrupción y la impunidad.

Los partidos políticos incluyendo a algunos miembros del partido de gobierno, que en los días anteriores al levantamiento habían pedido la cabeza del Presidente Mahuad y su equipo de gobierno, al darse cuenta de la fuerza de la movilización indígena, pusieron en marcha una estrategia de unificación para defender la democracia hecha a su medida. Ante la "amenaza india", los hábiles políticos pasaron de la noche a la mañana de ser los reales golpistas a defensores de la constitución.

Más allá de los hechos puntuales de este capítulo que se vivió en Ecuador, en lo que respecta al proceso de las nacionalidades indígenas emergen estas interrogantes: ¿Los indígenas ecuatorianos sumaron a sus reivindicaciones sociales, políticas, culturales y económicas, las aspiraciones del Poder?; ¿Cómo se entiende la fusión de indígenas y militares?; ¿Cuáles son las lecciones de este acontecimiento para los indígenas y el resto del país?.

El proceso de los últimos tres años

A partir del levantamiento de junio de 1990, en que el movimiento indígena ecuatoriano irrumpió con fuerza demandando -entre otros puntos- el cambio del formato estatal bajo la tesis del Estado Plurinacional, ha protagonizado varias acciones de enorme trascendencia en el reconocimiento de sus derechos, como por ejemplo, la marcha de 1992 sobre Quito desde la Amazonia por los territorios, la autonomía y el Estado Plurinacional. En 1994, el levantamiento fue contra las pretensiones del gobierno de tramitar la "Ley de Desarrollo Agrario" que permitía una reforma agraria a la inversa, es decir, una ley que revertía las tierras indígenas a los hacendados vía privatización. Hasta allí, las demandas excepto la tesis plurinacional, fueron fundamentalmente de carácter específico, es decir en función de los derechos propios.

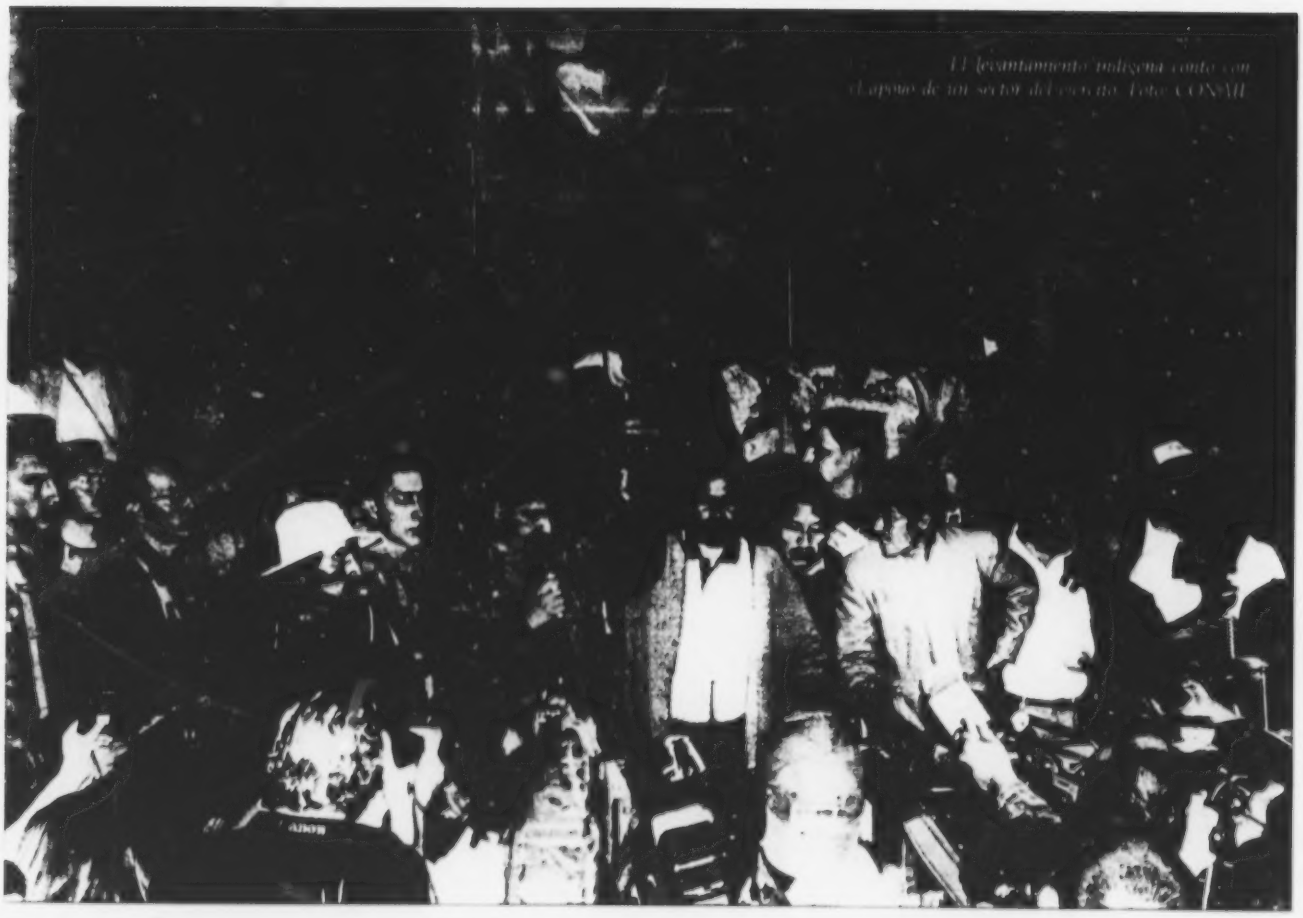
El protagonismo indígena basado en su poder de convocatoria y su visión de cambio estructural del país, en contraste con la crisis sindical, coloca al movimiento indígena como único movimiento social con proyecto histórico. En efecto durante el Gobierno de Abdalá Bucaram (y su afán por controlar o por lo menos dividir al movimiento), fue precisamente el levantamiento indígena lo que incidió enormemente en su caída el 5 de febrero de 1997. Allí, la tesis central de la CONAIE fue la realización de la Asamblea Nacional Constituyente como única posibilidad de refundar el país, en cuyo contexto los pueblos indígenas lograron el reconocimiento constitucional de los derechos colectivos y la ratificación del Convenio 169 de la OIT. Sin embargo la tesis plurinacional no tuvo aceptación de los Asambleístas.

Sin duda, el levantamiento que contribuyó a la caída de Bucaram y la negociación política en la Asamblea Constituyente, marcaron la incorporación sistemática en la agenda indígena la problemática general del país. Hoy las demandas y propuestas indígenas si bien incluyen sus propios derechos, tienen que ver con temas de la agenda nacional. Esto fue evidente en el gobierno de Mahuad quien tuvo que resistir tres levantamientos; el último significó su caída.

La CONAIE y Mahuad

El primer levantamiento contra Mahuad (marzo 2000) tuvo origen en sus medidas impopulares de ajuste, la ausencia de políticas sociales y su claro sometimiento a los intereses de la Banca privada. Allí la CONAIE planteó la creación del Fondo para el Desarrollo de las Nacionalidades y Pueblos indígenas, recursos para la educación intercultural bilingüe y frecuencias para radios comunitarias. Otras demandas fueron: la descongelación de las cuentas bancarias de los ecuatorianos, la congelación de los precios de combustibles y tarifas eléctricas y, el establecimiento de un proceso de diálogo nacional para buscar una salida de consenso a la crisis y la modernización del Estado.

Tras seis meses de conversaciones sin ningún resultado y la agudización de las medidas a favor de la Banca y los grupos de poder económico vino el segundo levantamiento en julio del 2000. Allí se reiteraron los planteamientos de marzo y se añadió la propuesta de sanear el corrupto sistema financiero. En los siguientes seis meses se realizaron cincuenta mesas de diálogo sin resultado concreto alguno, la ausencia de voluntad para cumplir los acuerdos firmados en los dos levantamientos fueron más que evidentes.



El levantamiento indígena contó con el apoyo de un sector del ejército. Foto CONAIE

A todo esto se sumó la decisión del gobierno de pagar el 52% del Presupuesto del Estado a la deuda externa, las intenciones de privatización a ultranza de los servicios sociales, el comprobado soborno de la banca a la campaña electoral de Mahuad, y la decisión de dolarizar la economía. Estas son medidas que contrastan con una pobreza alcanza el 70% de la población, 60% de mortalidad infantil, salario básico equivalente a 40 dólares, 60% de inflación, corrupción e impunidad de parte de políticos y funcionarios de justicia y banqueros, etc. En estas circunstancias vino el tercer levantamiento, con las consecuencias de dominio público.

¿Los indios al Poder?

"Los indios se equivocaron, perdieron en su afán de tomar el poder por la vía de la ruptura del sistema democrático". Esta es la lectura de algunos analistas desde los parámetros clásicos de la democracia liberal, en donde el objetivo de los grupos políticos es alcanzar el poder e instaurar gobiernos bajo sus exclusivos paradigmas. ¿Se concibe acaso a los pueblos indígenas análogos a los partidos, con un objetivo final de instaurar el gobierno indio?. Vale reflexionar sobre la tesis del Estado Plurinacional, para entender que el proyecto histórico de los pueblos indígenas es construir una nueva estructura política administrativa descentralizada bajo un sistema de autonomías, que garantice la representación de los sectores sociales bajo consideraciones de cultura, etnicidad y género entre otras, que integre con equidad la heterogeneidad sociocultural en el manejo estatal y las políticas de desarrollo socio-económico.

Mientras esto no exista, la democracia entendida desde la hegemonía partidista, no lo será para los pueblos indígenas. Aún cuando exista una poesía constitucional que aluda sus derechos.

La visión de Estado y Poder de los pueblos indígenas, difiere sustancialmente de los partidos políticos. No es objetivo de los pueblos indígenas del Ecuador invertir la pirámide de la estratificación social como ha proclamado la izquierda dogmática. Lo que se plantea es revisar las decadentes estructuras de la democracia liberal excluyente, incorporar otras visiones de democracia, las que poseen los pueblos indígenas, una democracia de participación real y de relaciones igualitarias.

Los actores ecuatorianos de la cultura política liberal no aceptan que los indios cuestionen y pretendan cambiar el sistema político creado por ellos.

Esto explica la fervorosa acusación de 'indios golpistas'. Aún cuando resulta una evidencia desbordante el agotamiento del modelo de Estado-Nación. Aún cuando la clase política ejerce un golpismo permanente y perverso a todo principio de democracia con la vergonzosa corrupción cimentada en los poderes del Estado, que contrasta con la pobreza de la mayoría de los ecuatorianos. Aún cuando hay un clamor nacional para que este orden de cosas cambie. Mientras tanto, los administradores del "orden constituido" pretenden con artilugios mantener la corruptocracia a perpetuidad.

Los indígenas ecuatorianos han sacudido el andamiaje del poder con la caída de su principal símbolo. Esto es inédito en la historia republicana de América. Actualmente el gobierno y las otras funciones del poder estatal lejos de asimilar los hechos y propiciar autocríticamente los cambios sustanciales que motivaron el levantamiento, pretender reciclarse a nombre de "salvar la democracia".

En este contexto las afirmaciones de que "los indios atentaron contra un sistema democrático que les permitió consolidarse" caen por su propio peso. En Ecuador, el sistema democrático no ha otorgado nada a los indígenas desde su estricta buena voluntad. Todo lo que los pueblos indígenas han alcanzado lo han hecho desde la movilización, porque la democracia de los otros es sorda y ciega ante las realidades indígenas, los pueblos indígenas no se han beneficiado ni han medrado de este sistema que continúa siendo ajeno, de ahí que sus derechos sólo serán reales en una estructura política distinta, en la que los pueblos indígenas también puedan decidir junto a otros sectores en igualdad de condiciones.

¿Alianza con Militares?

En Ecuador como en otros países latinoamericanos, los militares se caracterizan por su poder dirimente en las decisiones de los gobiernos. Esto lo han demostrado a través de todos los gobiernos, y lo han demostrado a la hora de enfrentarse a los pueblos indígenas desde su defensa del paradigma Estado-Nación.

En los últimos años y más acentuado a raíz de la firma de la Paz con Perú, la desconfianza y confrontación entre indígenas y militares ha pasado a un proceso de acercamiento. Este hecho tiene que ver con la búsqueda de un nuevo rol por parte de las fuerzas armadas sin perder su poder real en el país. Por su parte los indígenas por un pragmatismo lógico, consideran a los militares como actores con los que hay que encarar los temas conflictivos, esta comprensión es parte de una actitud que puede ser hasta estratégica, es decir, el mantener relaciones directas en circunstancias claves con los que tienen el poder. Esta visión tiene dos vías, puesto que la fuerza social que actualmente representan los pueblos indígenas es vista con simpatía y respeto por la jerarquía militar.

Durante el último acontecimiento que vivió el Ecuador, la jerarquía militar (considerada como la más progresista de América del Sur), efectuó en una actitud sin precedentes, un acercamiento directo con la dirigencia de la CONAIE, para analizar la crisis del país. Su propuesta estaba orientada a acordar una estrategia de acción dirigida a poner fin a las causas de la crisis del país, principalmente la corrupción. Está claro que lo militares han seguido de cerca el proceso indígenas y su proyecto. No obstante, los militares con su imagen de respetuosos de la constitución, optaron por mantener un perfil bajo en el debate público, a tiempo de ofrecer apoyo a las acciones sociales.

La estrategia que se planteó era la de una movilización social de gran fuerza, una "revolución sin sangre" capaz de protagonizar un cambio estructural del país sin violencia, a la que se sumaría el respaldo de las fuerzas armadas. Sin embargo, pese a las múltiples conversaciones, la jerarquía militar, por las presiones internas y externas, y por no aparecer como golpista, cayó en la utilización de un doble discurso: hablar de una estrategia de cambio con los indígenas, pero en público manifestar el apoyo al "orden democrático". De ahí que en las circunstancias cruciales, los que se rebelan inclusive ante las ambigüedades de la cúpula, fueron un grupo de mandos medios conformados por oficiales jóvenes en su mayoría coroneles, quienes en la actualidad, guardan prisión y están siendo procesados por la justicia militar, en una especie de purga interna, que busca restaurar la gran ruptura interna que experimentan hoy las fuerzas armadas y que sin duda permanecerá por largo tiempo.

La aceptación de la dirigencia indígena al apoyo ofrecido por parte de los militares al cumplimiento de los objetivos del levantamiento, fue una decisión estratégica que no funcionó, porque dicho apoyo fue retirado en los momentos cruciales, cuyas razones tienen que ver con: la división de las tres ramas que constituyen las fuerzas armadas, en cuyo interior se fraguó la decisión de un golpe exclusivamente militar al calor de la coyuntura y contraria a las conversaciones con la CONAIE; la presión por parte de EE.UU. y los grupos de poder local, quienes jamás aceptarían que los indios pudieran ser parte del poder por la vía de un levantamiento, con el "mal ejemplo" que aquello significaría para el resto de los Estados con pueblos indígenas.

Con esta decisión de optar por una suerte de alianza con los militares, los indígenas pusieron en práctica lo que muchos sectores tradicionales tenían en mente, pero que por la hipocresía que caracteriza a muchos ecuatorianos -por no aparecer golpistas- no lo hicieron. Pero vale señalar que la CONAIE no dio el primer paso para ir a proponer a los militares el respaldo a sus objetivos, fueron los militares quienes primeros se acercaron para ofrecer sus puntos de vista frente a la crisis, y plantear la posibilidad de una alianza. Este es un hecho que rompe con la tradición de política ecuatoriana de "ir a golpear las puertas de los cuarteles". Y demuestra, además, que la comprensión de los militares sobre los pueblos indígenas experimenta cambios pues al parecer, actualmente, la lectura ya no es tanto como la de "subversivos" o "amenaza a la unidad del país", más bien se evidencia un reconocimiento como sujetos sociales de cambio.

Los indígenas sin los prejuicios del golpismo o no golpismo frente a una democracia de lo más dudosa, aceptaron que los militares se embarquen en su proyecto de transformación. Sin duda, el confiar en la posibilidad de una alianza estratégica

y coyuntural, fue un error. Puesto que tal posibilidad sólo podría pensarse bajo la mediación de un tratado de paz entre militares e indígenas. Sólo así se pondrá fin a la secular confrontación entre los defensores de la nación unitaria y los que buscan construir un país plural, en donde el poder dirimente de los militares ya no exista, pero para ello aún deberá transcurrir muchas lunas hasta que el esquema mental de las fuerzas armadas cambie.

Una de las secuelas de la movilización constituye el procesamiento de los oficiales militares y dirigentes sociales que encabezaron la revuelta, entre ellos Antonio Vargas. Hoy esta acción iniciada por la fiscalía, está al parecer en un punto muerto, puesto que existe una opinión publica mayoritaria que plantea una amnistía a todos los procesados. Inclusive ya se encuentra en trámite un proyecto de amnistía planteado por la Diputada indígena Nina Pacari Vega, del movimiento Pachakutik.

Lecciones

Las lecciones que emergen de esta experiencia son varias y muy trascendentales. El movimiento indígena debe redefinir su estrategia de alianzas, éstas deben construirse en el contexto de la sociedad civil, en el sentido más amplio. La presencia de pequeños grupos de activistas sectarios y conservadores de la izquierda dogmática, reacios a los consensos es una rémora para el proceso. En este contexto el movimiento indígena debe evitar reproducir el discurso estatista del sindicalismo borbónico, contrario inclusive a la autodeterminación de los pueblos indígenas.

La construcción de un verdadero poder alternativo demanda un desarrollo de la capacidad de generación de propuestas y programas claros y contundentes en los más diversos campos. No basta la declaración de principios si no se plantean políticas y estrategias de aplicación real de soluciones en lo económico, político, social, cultural y ambiental. Ser factor de equilibrio del poder requiere además de una enorme capacidad de comunicar en el ámbito nacional como internacional, a fin de consolidar una opinión favorable al proceso. La comunidad nacional e internacional debe comprender que para los pueblos indígenas la visión unívoca de la democracia está en crisis, no se trata de mantener instituciones que a nombre de ser democráticas son generadoras de una cultura de exclusión, inequidades y corrupción. En suma, la democracia liberal en su actual estado de decadencia requiere nutrirse de visiones, prácticas y paradigmas que los pueblos indígenas son portadores y que sin ser sociedades ideales, pueden contribuir a la convivencia ética entre los seres humanos y de éstos con la madre entorno.

Finalmente, el movimiento indígena requiere generar un amplio debate sobre su proceso actual, más aún cuando se ha propuesto desarrollar un plebiscito para mayo próximo, sobre los temas que constituyeron las demandas del levantamiento. El 75% de la población apoya el plebiscito y las preguntas que se plantean en el mismo. Sin embargo paralelo a la recolección de las firmas, es necesario debatir fundamentalmente sobre la visión indígenas de los hechos y sobre el futuro del Ecuador. Este debate resulta clave, sobre todo frente a la peligrosa oleada de racismo que ha surgido tras el levantamiento. Para ello vale tener presente que el debate sobre la erradicación del racismo, debe ser un tema consustancial a la reforma del Estado y la Democracia. De lo contrario, no sería extraño que los que grupos que sienten amenazados sus espacios tradicionales de poder, intenten reeditar las trágicas experiencias de los Balcanes en esta parte del planeta.

Carlos Viteri es quichua amazónico de Ecuador, antropólogo, asesor de la diputada quichua Nina Pacari Vega. ❑

LOS DERECHOS DE LOS PUEBLOS INDÍGENAS EN ARGENTINA

El libro incluye antecedentes legislativos en la materia de los derechos indígenas desde 1853 a 1994 año en que se reformó la Constitución Nacional incorporándose los derechos especiales para pueblos indígenas a la misma.

Simultáneamente se incluyen los textos de las Constituciones Provinciales que reconocen los derechos indígenas y las leyes nacional y provinciales especialmente creadas como política estatal con los pueblos indígenas. Se incluyen también las perspectivas indígenas sobre la materia. Documentos especialmente elaborados por organizaciones y comunidades indígenas de diferentes regiones del país.

El libro se completa con un análisis de los fallos judiciales existentes en Argentina sobre derechos que afectan a indígenas.

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LAS BASES Y FUNDAMENTOS DEL DERECHO INDÍGENA DEL PUEBLO MAYA DE GUATEMALA*

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Coordinadoras del Proyecto "Investigaciones en derecho consuetudinario y poder local"[1]

Introducción

El *Acuerdo sobre Identidad y Derechos de los Pueblos Indígenas* establece el compromiso de reconocer las instituciones y autoridades de los pueblos indígenas, así como sus usos, costumbres, tierras comunales y el "derecho consuetudinario" que norma las relaciones intracomunitarias.

Sin embargo, la definición de todos estos elementos constitutivos de las sociedades indígenas presenta dificultades para establecer qué comprende el derecho consuetudinario, y cuál es su ámbito de aplicación y sus alcances. Por ello, esta investigación se propuso desarrollar un marco de reflexión y análisis participativo que contribuya a la comprensión del derecho indígena y de la manera como funciona en la práctica. El objetivo central de este trabajo fue sistematizar información fidedigna acerca de la definición, fuentes, bases y ejercicio comunitario del derecho indígena,

Miembros del Consejo de Principales de San Juan La laguna, Sololá. Foto: André Bessieres

a fin de coadyuvar a la formulación de las iniciativas necesarias para dar cumplimiento a los compromisos contenidos en el AIDPI.

Los resultados de la investigación realizada revelan un dinamismo en el que han prevalecido las tendencias a conservar los contenidos y valores. Sin embargo, se constató que la cultura maya sufrió un cambio de grandes dimensiones durante la década de 1980 a 1990; la violencia rompió la estructura social y política de las comunidades, transformó la economía y la forma de vida de las personas de tal manera que hizo imposible la continuidad de algunas de las prácticas, mientras que otras subsistieron precariamente. Esta convulsión provocada por la violencia política, el desarraigo y la introducción de agentes de poder externos dentro de la lógica comunitaria, no ha concluido aún; por ello, algunas de las conclusiones que se presentan son aplicables a momentos o prácticas que se encuentran en transición, en tanto que otras se refieren a aquellos elementos de la dinámica cultural que ya se han estabilizado. Asimismo, fue imposible establecer la diferencia entre aquellos cambios o procesos que son resultado de la violencia política, y los que tienen su base en los procesos propios o inducidos por el dinamismo característico de la cultura maya.

Las aldeas o pueblos en los que se realizó la investigación pertenecen a las siguientes comunidades lingüísticas: Achi', Chuj, K'iche', Mam, Q'eqchi' y Tz'utujil, además de las comunidades multiétnicas de Ixcán y Petén, en las que se habla más de un idioma y se usa el español como lengua franca, y la comunidad de San José Petén, de cultura Itza', que ha perdido el uso cotidiano del idioma indígena. Asimismo, San José Petén, Tenerías y *Chiyax*, San Juan La Laguna y San Pedro La Laguna constituyen poblaciones que se asentaron y desarrollaron en el mismo lugar donde fueron creadas durante la colonia; todas ellas son centros urbanos o suburbanos, a excepción de *Chiyax*, que es un asentamiento prehispánico y se encuentra a dos kilómetros de la cabecera municipal. Los principales cambios que han sufrido estas comunidades parecen tener su explicación en la urbanización y el acceso a los servicios que ofrece el Estado, particularmente, al sistema educativo.

Otras comunidades se asentaron hace más de 100 años en el territorio actual (*B'ulej, Quiquibaj* y Buenavista, *Paxoj*, y Palestina, Panyebar y *Pasajquim*); las primeras se formaron por migración en busca de mejores perspectivas económicas, y las últimas, fueron fundadas por quienes huían de las leyes de trabajo forzado durante el siglo pasado. Todas ellas se mantuvieron dentro de los límites territoriales en los que tiene vigencia la cultura de procedencia y reconstruyeron ya una identidad propia.

En Manos Unidas se desplazaron inicialmente por motivos económicos; sin embargo, en la Cooperativa Nuevo Amanecer, Santa María Tzejá y Primavera del Ixcán, la referencia de la primera migración ha desaparecido casi totalmente de la memoria reciente; el relato de la migración se relaciona con la violencia sufrida. Estas comunidades están en proceso de reasentamiento.

En el nuevo contexto comunitario, generalmente, la institucionalidad indígena recibió un fuerte impacto de otras concepciones organizativas, de carácter modernizante. Todas las comunidades de migración reciente –menos de 30 años- se adaptaron a nuevas instituciones, formas de autoridad y normas comunitarias. Asimismo, tuvo un papel importante la entidad de apoyo a la comunidad emigrante, que define en gran medida actitudes y comportamientos con relación a la cultura y prácticas comunitarias de origen.

Un caso muy especial son las aldeas de San Juan La Laguna, en las que la dinámica cultural de los emigrantes *K'iche'* de los departamentos de Totonicapán, y Sololá se insertó en el contexto de la cultura *Tz'utujil*. La identidad y dinámica actual tiene dos vertientes: por un lado, la identificación con San Juan La Laguna y sus instituciones; por el otro, la reivindicación de la diferencia.

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Conclusiones generales de la investigación

1. Sobre lo sagrado y la relación con el Cosmos y la creación

Lo sagrado es la base de los conceptos que sustentan el poder local y el derecho indígena, dando lugar a un régimen comunitario o regional; comprende el orden creado por los Progenitores y el respeto y observancia de los modelos de comportamiento humano que son coherentes con ese orden, así como la relación con los Creadores y con la Creación.

En todas las comunidades, lo sagrado se traslapa, se limita, se cruza, se actualiza, se conserva o se erosiona al entrar en contacto con otros sistemas o elementos, traídos de iglesias, de partidos políticos, de sistemas de educación, del conflicto armado interno o de las leyes nacionales vigentes. Sin embargo, se ha mantenido un núcleo de conceptos y prácticas que ha conservado el sentido y definición de lo sagrado en el marco de las concepciones ancestrales. Así, prácticas que tenían una dimensión comunitaria se han reducido a la familia, o han cambiado sus rituales para realizarse acorde a las prácticas de las iglesias católicas, y aún evangélicas. Sin embargo, el carácter sagrado de la Creación, la comunidad, el bien común y lo colectivo forman parte del pensamiento ancestral, que sigue alimentando esas prácticas transformadas.

La influencia de las religiones, la migración y el conflicto armado interno se combinaron para transformar las prácticas rituales de las comunidades. De la misma manera, la educación escolar parece haber jugado un importante papel en los cambios de mentalidad que han sufrido los jóvenes, sobre todo los que se encuentran en el medio urbano o suburbano. Sin embargo, en todas las comunidades se advierte una interconexión entre la vida diaria y lo sagrado, que se expresa de manera concreta en los deberes y obligaciones de cada sujeto, y los rituales y actos de desagravio que debe realizar. Con ello, de manera sistemática, se reproduce la vida comunitaria, las normas y valores, y la estructura social indígena. Este proceso se interconecta a partir del diseño del ciclo de tiempo sagrado, expresado en el calendario maya ritual o *Tz'olkin*.

Las normas que expresan estas ideas complejas son de formulación muy sencilla:

- Se debe cumplir con los rituales diarios (agradecer el nuevo día, pedir perdón por los errores o faltas que se hayan cometido o se pudieran cometer durante el día); no hacerlo es falta de respeto.
- Cuando se realiza alguna gestión o acción de importancia, es necesario pedir el favor las fuerzas sobrenaturales; si no se hace, pueden sobrevenir enfermedades, accidentes o fracasos.
- No se deben tomar las cosas de la Naturaleza sin pedirlas al Dueño, y pagarle; esto significa rendir respeto a la Naturaleza y al Dueño. Especialmente se realizan actos de desagravio cuando se trata de quitar la vida a otro ser vivo, como árboles, plantas y animales; quitar un elemento indispensable para la vida de otros seres (agua) o alterar la disposición de los elementos en la Madre Tierra (herirla para sembrar, sacar la cal, la sal negra o agua de un nacimiento). La petición se ha transformado en oraciones en algunos casos, en tanto que en otros se mantiene la ceremonia tradicional.
- Los animales se pueden cazar, pero es necesario pedirlos al Dueño. La carne de los animales no se pesa; si se mata un animal se debe comer; hay que avisar al Dueño cuando un animal ha sido cazado. Estas regulaciones se conservan de manera particular en B'ulej.
- Las cosas que se toman de la Naturaleza no se deben malgastar, porque es falta de respeto: se debe tomar estrictamente lo necesario para la vida y no pasarse de la medida.
- Se deben realizar rogativas para obtener buena cosecha; de lo contrario, aunque se trabaje mucho, se obtienen pocos resultados.
- No recibir el encargo de fungir como autoridad o hacerlo de mala gana es castigado con enfermedades o dificultades
- Durante la comida no se debe platicar, porque ese momento es sagrado. Se conserva esta práctica en las celebraciones rituales, y se ha transformado la manera de señalar el carácter sagrado de este acto; actualmente, se agradece a los presentes y al Creador por los alimentos, tres veces al día.

2. La comunidad y la relación con la Naturaleza

La relación de la comunidad con la Naturaleza está marcada por la ritualidad, en la medida en que todos los aspectos de dicha relación se consideran imbuidos de lo sagrado. La premisa que sostiene la relación con la Naturaleza es la **satisfacción de la necesidad**. En las comunidades, la siembra, cuidado y cosecha de la milpa –y eventualmente de otros cultivos[2]- se entretejen durante el ciclo agrícola; inciden y fortalecen distintos espacios de la vida comunitaria y de la identidad, los siguientes elementos: los trabajos productivos, que se realizan familiarmente o mediante la organización de esfuerzos de varios productores; la aplicación de los conocimientos sobre los fenómenos de la naturaleza; las rogativas por el buen resultado del esfuerzo humano; el desagravio por las faltas que llevan al Dueño a negar los dones fundamentales necesarios para la subsistencia, y la celebración ritual -familiar o comunitaria- para agradecer los beneficios, bendiciones y dones recibidos.

En la relación de las personas con la Naturaleza y el Cosmos, el cambio mayor cambio se refiere a los ritos sagrados. Las distintas prácticas rituales fueron erosionadas por la migración, la incidencia de las iglesias católica y evangélica, el conflicto armado y la pobreza. Se rompió con las celebraciones festivas, que se comenzaron a desarrollar en el seno de la familia, y en algunas ocasiones, en las iglesias católica y evangélica (Santa María Tzejá, Primavera del Ixcán, Manos Unidas, San José, *Paxoj*, *Quiquibaj* y Buenavista, San Juan y San Pedro La Laguna). Desaparecieron las Cofradías,

encargadas de mantener la asignación de prestigio comunitario a los que alcanzaban la máxima dignidad (*Paxoj, Quiquibaj* y Buenavista). Otras instituciones se debilitaron, y algunas más fueron transformadas en su contenido y prácticas (San Juan y San Pedro La Laguna). Las comunidades de B'ulej y Nimalaha'kok, sin embargo, han mantenido o reconstruido las prácticas de relación con la Madre Naturaleza, y reconstruido las instituciones comunitarias sobre las cuales descansa su ejercicio.

El aspecto que mayores cambios ha sufrido es la relación con el bosque; la creciente deforestación y escasez ha llevado a nuevas prácticas y regulaciones para su manejo, como la obligación de reforestar y la negación de sus recursos a quien no cumple con esta obligación. También han ido surgiendo nuevas formas de gestión y organización comunitaria para la protección del bosque (Tenerías, *Chiyax* y San José).

En las cooperativas del Petén, hay un renacimiento del valor de cuidar a la naturaleza, junto con un reconocimiento del valor de los rituales practicados por los Abuelos. En Manos Unidas, Santa María Tzejá y Primavera del Ixcán, estos valores se actualizan a través de prácticas rituales católicas, en tanto que en San José Petén, la comunidad Itza' refiere en la historia oral las prácticas tradicionales.

Otro aspecto en el que se advierten cambios profundos se refiere a la relación con la Madre Tierra. Así, en San José se encuentra en proceso de desaparición la tierra comunal, y esto afecta profundamente las prácticas espirituales y de relación con la Naturaleza. En otras comunidades, como Tenerías y *Chiyax*, se han creado nuevas formas institucionales para velar por los recursos del bosque y por la tierra comunal, que en realidad, pertenece a los linajes, aldeas o a la municipalidad, aunque las comunidades lo entienden como patrimonio de las Parcialidades. En las comunidades Mam se combina la propiedad municipal de la tierra con el usufructo comunitario y la existencia de regulaciones propias para su manejo. En el caso de la región *Tz'utujil*, las prácticas de relación con la Madre Tierra se realizan a través de las ceremonias rituales de bendición de la semilla y celebración de las cosechas. En Primavera del Ixcán, Santa María Tzejá, Manos Unidas y Nuevo Amanecer, el régimen cooperativo se ha construido con base en la propiedad individual de la tierra, aunque se cuenta con reservas forestales, astilleros o tierra de uso común. En la comunidad Achí' se han comenzado a unir familias para acceder a tierra de usufructo colectivo; y en la región de *Nimlaha'kok* y en *B'ulej* se conserva la definición ancestral de la tierra comunal.

3. Sobre el orden social y el poder local

Los modelos de vida humana y de comportamiento participan también de la definición de lo sagrado. El orden social se mantiene y reproduce a través de las instituciones sociales y políticas de las comunidades; la finalidad de éstas es el logro del bien común, entendido como la búsqueda de la armonía y el equilibrio en todos los aspectos de la vida. Así, el ejercicio del servicio a la comunidad por parte de las autoridades constituye una obligación sagrada. El derecho a ser tomado en cuenta y a participar, la capacidad de comprender al otro y de decidir con base en el consenso, son las premisas básicas del comportamiento político aldeano. La inclinación sistemática por la observación, la evaluación y la acción humana tendiente a mantener los equilibrios sociales y políticos necesarios para la convivencia en armonía, es una finalidad de quienes participan en la gestión comunitaria; constituyen premisas de la acción humana cuya transgresión ofende lo sagrado.

3.1. La comunidad, el ciclo de vida y los ciclos de tiempo

La comunidad, el orden comunitario, se realiza en una dimensión **temporal** que une el pasado y el presente con el futuro. Las enseñanzas de los antepasados, su filosofía y sus valores constituyen los ejes que orientan el desarrollo de la vida humana. Quienes están viviendo en el presente tienen el encargo de formar a las nuevas generaciones, en una pedagogía oral que se basa en el principio de enseñar con el ejemplo. El devenir de la comunidad se establece sólidamente cuando cada generación cumple con el mandato de socializar a sus descendientes en los conceptos, significados y sentidos que les fueron trasmitidos por sus ascendientes, estableciendo también la continuidad generacional.

Los distintos rituales del nacimiento, matrimonio, aceptación de cargos, defunciones y celebraciones funerarias marcan con claridad esta cadena que se establece entre quienes cumplen aún un papel en la comunidad y quienes ya partieron a reunirse con los Abuelos. Al nacer un niño, la familia busca un nombre que lo identifique con sus antepasados; la función de los padres es educar y enseñar, mientras que los abuelos y ancianos son los portadores de la sabiduría ancestral, y su misión es enseñar a los jóvenes los rituales y conocimientos que recibieron, complementando con ello la educación de los padres.

Más allá de los procesos propios de la cultura indígena, la relación entre los jóvenes y los mayores ha sufrido rupturas generacionales importantes. Frente a la migración por razones económicas y la violencia política, los estilos de vida comunitaria cambiaron radicalmente. Las habilidades y capacidades de los jóvenes fueron transformadas por la oferta educativa y experiencias a las que no tuvo acceso la generación anterior; las necesidades de sobrevivencia dieron lugar a nuevas formas de gestión y de negociación con las instancias extracomunitarias. El saldo parece haber sido un desplazamiento de los ancianos y una dispersión de la toma de decisiones.

En todos los casos, fue reiterado que una buena parte de los jóvenes han perdido el respeto a los antepasados y los ancianos, y han abandonado los caminos y valores tradicionales que apoyaban la gestión comunitaria. Sin embargo, la presencia de los jóvenes en las estructuras de gestión comunitaria es una constante, ya que ellos cuentan con habilidades y capacidades necesarias para enfrentar los nuevos escenarios y retos de la comunidad. En algunas comunidades se señaló que este proceso es necesario, pero sucedió a costa del desplazamiento de los ancianos y el menosprecio de la

sabiduría ancestral, y no como un proceso de complementariedad. Asimismo, los jóvenes señalan que ellos no fueron sujetos de un proceso normal de socialización, debido a la violencia política. Así, el debilitamiento de la institucionalidad indígena obedece a procesos históricos de violencia y discriminación en contra de los pueblos indígenas y no a la voluntad de las comunidades de abandonar su forma de ser.

No obstante lo anterior, la comunidad indígena ha sido capaz de conservar y transformar, modernizando o cambiando las prácticas para adecuarse a las circunstancias. Muchas comunidades se encuentran en pleno proceso de transición. La totalidad de ellas evidenció una plena conciencia de su identidad y de los retos que implica la vigencia de la multiculturalidad, y manifestaron un deseo profundo de construir puentes de entendimiento entre generaciones, buscando el fortalecimiento de las instituciones comunitarias.

3.2. El hábitat comunitario como base territorial de la jurisdicción política

La fragmentación de los regímenes regionales en aldeas independientes o caseríos con un sistema relativamente autosuficiente de toma de decisiones fue una política colonial. Sin embargo, muchos de los conceptos pervivieron y fueron aplicados en pequeñas unidades territoriales, que posteriormente se rearticularon al definirse el municipio, pero los regímenes de este último y de la aldea están basados en legislaciones y culturas distintas, y a menudo contrapuestas. En la mayoría de las comunidades los límites y las relaciones entre aldeas y la situación jurídica de las tierras comunales se definen con referencia al régimen municipal, aunque en cada una de ellas existen principios y definiciones claras acerca de cuál es el ámbito en el que la pequeña aldea toma decisiones basada en sus propias regulaciones, y cuáles debieran ser el impacto y alcance de la toma de decisiones municipal, basada en las leyes estatales.

La aldea se desarrolla en un espacio físico, en un hábitat delimitado y preciso. Dentro del derecho indígena, el **hábitat comunitario o territorio** es un concepto complejo que entreteje las siguientes dimensiones:

- Como referencia física por excelencia, los mojones demarcan el espacio en el cual la comunidad tiene derecho al uso y disfrute de la Naturaleza, en correlación con los deberes que de ello se desprenden.
- Generalmente, esta demarcación contiene un espacio que tiene un guardián, Dueño o Espíritu protector, que es el propietario real de ese hábitat. La comunidad que se asienta en esa demarcación tiene deberes especiales con respecto al Dueño, a cambio del usufructo de los bienes y del espacio necesario para la vida de las personas. Cada espacio que se toma para la vida humana, cada recurso que se usa, debe ser solicitado ritualmente para ello, le entrega una ofrenda, material o espiritual, y realiza la rogativa para la obtención del don.
- El uso y disfrute de los elementos que existen en esa demarcación tiene como fundamento ético la necesidad humana.
- Cada persona que cumple con los deberes impuestos por la institucionalidad indígena tiene derecho al uso y disfrute de los bienes y elementos que constituyen el hábitat comunitario. Actualmente, el acceso requiere la rogativa al Dueño, y el permiso de la autoridad comunitaria pertinente, dada la escasez de los bienes disponibles.
- El acceso a los recursos que permiten la satisfacción de las necesidades vitales es **un derecho inherente a la persona**. Esto incluye el acceso a los medios para producir y reproducir la subsistencia familiar; el medio por excelencia es la tierra necesaria para sembrar. Pero no solamente las personas son beneficiarias de ese derecho; cada cosa o elemento de la creación tiene derecho a acceder a los satisfactores básicos.
- Dentro del espacio cultural demarcado por el hábitat, se localizan lugares precisos, en los cuales se realizan los rituales especiales que comunican a la comunidad con la Creación y con los Antepasados. Estos lugares sagrados se entienden como lugares públicos que están sujetos a las regulaciones del derecho Maya.

Estas perspectivas no establecen separación entre el espacio cultural y el hábitat en su sentido físico o material. El ejercicio de deberes y derechos se da a partir del hogar familiar -la casa, la milpa, el agua, la extracción de recursos del bosque-, pero abarca la montaña, donde permanecen los dueños espirituales de la naturaleza.

Este hábitat comunitario se ha combinado con la legislación occidental; de manera que en las comunidades indígenas se pueden distinguir dos formas de regulación del usufructo y tenencia de la tierra:

- por un lado, la parcela familiar, con documentos que la acreditan como propiedad privada o sin ellos, que puede ser dejada en herencia de padres a hijos. Esta parcela familiar es identificada en términos de los derechos adquiridos por la familia que tiene el usufructo; cualquier modificación es objeto de regulaciones estrictas en cuanto al establecimiento de los usufructuarios, límites y derechos.

- Por otro lado, existe la tierra comunal o *del común*, que generalmente está constituida por las tierras donde se asienta la aldea o el poblado, los bosques, ríos, arroyos, lagos y los lugares sagrados, cuyo uso, administración, mejoras y control se realiza colectivamente, con definiciones precisas de derechos y obligaciones que regulan el usufructo.

Así, por ejemplo, las cooperativas de Primavera del Ixcán, Santa María Tzejá, Manos Unidas y Nuevo Amanecer, cuentan con una combinación de los dos regímenes, ya que cada familia asociada cuenta con una parcela, a la vez que la cooperativa mantiene la propiedad de las tierras de uso colectivo (protección de fuentes de agua o reserva forestal). En

Intervención de Don Juan Yox, Primer Principal de San Juan La Laguna, Sololá, en la ceremonia de entrega del libro. Foto: André Bessieres

Miembros del Consejo Consultivo de la Región Mam. Foto: André Bessieres

Asamblea comunitaria en la región Mam. Foto: André Bessieres

el caso de San Pedro y San Juan La Laguna, la propiedad privada, que se registra a nivel municipal con los conceptos de la ley nacional, tiene primacía casi absoluta sobre otras formas de tenencia. En San José, la transición del régimen de tierra comunal a la propiedad privada da lugar a la existencia de dos tipos de parcelas: la tradicional, asignada según las regulaciones establecidas en el derecho *Itza'*, y *"las del licenciado"*, que cuentan con un registro en la municipalidad. Por último, en el caso de la comunidad *Q'eqchi'*, toda la tierra es comunal, pero está asignada a cada familia, manteniendo las autoridades la vigilancia del respeto a los acuerdos establecidos, y la custodia de las reservas forestales y protección de las fuentes de agua.

En todos los casos, a excepción de San Juan La Laguna y San Pedro la Laguna, la relación entre el hábitat de la aldea y el municipio encuentra puntos de conflicto y tensión. Las comunidades señalaron que la municipalidad *"no respeta"* la jurisdicción y a las autoridades de la aldea; no presta los servicios que debiera, no consulta con las comunidades. La relación con el Alcalde municipal es generalmente difícil, ya que no ha sido elegido conforme los criterios de las aldeas, sino por el sistema de partidos políticos. El régimen municipal no incluye ni considera las regulaciones indígenas en su definición y funcionamiento.

3.3. El bien común

La comunidad es entendida como un todo articulado, con estructura y vida propia, con autosuficiencia y necesidades; el bien común se refiere a la finalidad que guía la organización y gestión comunitaria, con el objetivo de que cada uno de sus miembros pueda satisfacer sus necesidades fundamentales y desarrollarse. La característica principal de la comunidad indígena, es que el bien común tiene como base la participación de todos los que integran la comunidad; el concepto de servicio *-kaxk'ol*, en *K'iche'-*, realizado por turnos, se constituye en un mecanismo de involucramiento personal y colectivo en la gestión para el bien común que permite resolver los problemas y satisfacer las necesidades colectivas, y articula el desarrollo de la personalidad individual con la identidad colectiva. El Común, *Komon* o *komonil* es la institución política fundamental, y se constituye con los vecinos reunidos en asamblea. No hay asamblea sin autoridad, sin un dirigente que la coordine; en ella se crean los mecanismos y se toman las decisiones que permiten el logro del bien común y de los objetivos de la comunidad; se presentan y discuten todos los asuntos comunitarios, se evalúa el comportamiento de los vecinos, se asigna prestigio o se reparten trabajos y responsabilidades; se establecen las obligaciones y dignidades que son necesidad y resultado de las celebraciones rituales. Cada persona se sujeta a las decisiones, formas de evaluación, criterios y mecanismos de funcionamiento emanados de la asamblea comunitaria, que une ideas, voluntades y acciones en consensos considerados "palabra sagrada", incuestionable y superior a la voluntad individual.

Una dimensión importante del bien común son las prácticas de intercambio, que permiten mantener la unidad y solidaridad entre los vecinos. Estas prácticas han sufrido cambios importantes en la mayoría de los casos, como resultado de la pobreza y de los nuevos procesos económicos, donde casi todos los bienes o servicios se pagan con dinero. Especialmente, han desaparecido o se han debilitado los mecanismos de ayuda mutua entre vecinos o *cambio de mano*, tanto para el cultivo de maíz como para la construcción de la casa familiar; asimismo, se ha perdido o tiene nuevos significados el intercambio de alimentos o de maíz. Asimismo, las cooperativas del Ixcán y del Petén reflejan la presencia de estos valores a través de nuevas instituciones y prácticas, tomadas de la legislación estatal y moldeadas para hacer vigentes las concepciones indígenas de ayuda mutua.

3.4. El servicio a la comunidad

El **servicio** constituye un deber sagrado, en la medida en que colaborar en el logro del bien común permite mantener el orden social originario. A la vez, contribuye a la constitución de la identidad y a la solución de las necesidades familiares o comunitarias, tanto materiales como espirituales. La gestión comunitaria está organizada en jerarquías donde cada uno de los niveles implica una nueva experiencia y un mayor grado de responsabilidad y de prestigio. Así, el guiador nace y se hace en la práctica del servicio a la comunidad.

Como deber sagrado, la toma de posesión de un cargo o de una responsabilidad se realiza con los rituales que permiten al servidor pedir el apoyo divino para el buen desempeño de su función, o pedir perdón por las faltas u omisiones que pudiera cometer. Asimismo, quien entrega el cargo trasmite su experiencia y se constituye en consejero de quien lo asume, ya que ninguno de los cargos o niveles de autoridad de las comunidades son individuales -a excepción del alcalde municipal-; la gestión de los nuevos se apoya en las *pasadas autoridades*. El *pixab'*, las *consignas*, los *consejos* son las formas que adopta esta transmisión de la experiencia y conocimientos.

3.5 Las autoridades comunitarias

Fue posible establecer los siguientes rasgos de los sistemas de autoridad comunitarios:

- De manera generalizada, la gestión e instituciones indígenas tienen como base la gestión colectiva. Así, la alcaldía auxiliar, la cofradía, los comités y demás formas organizativas, cuentan con varios integrantes organizados jerárquicamente. Además, se cuenta con el apoyo de los consejeros que asisten a las autoridades, y de las *pasadas autoridades*, que pueden ser llamadas para asuntos específicos. Cuando se nombra un solo alcalde, como en *B'ulej*, Panacal y La Ceiba, éste mantiene una estrecha coordinación con otras autoridades comunitarias.
- Esta gestión colectiva se organiza de manera funcional; para cada uno de los trabajos o actividades se cuenta con un coordinador o guiador. En todos los casos, llegar a dirigir a la comunidad requiere haber desempeñado otros

cargos, ganando el respeto de las personas con el desempeño, sacrificio y dedicación. Aquellos que comienzan a participar como servidores de la comunidad, van avanzando en capacidad, responsabilidad y experiencia en la medida en que ascienden cada escalón de la jerarquía.

- No es bien visto que una persona se proponga a sí misma para ocupar un cargo; todos estos son por designación de la comunidad. En todos los casos, las opiniones de adversarios y partidarios pueden ser expresadas públicamente; el candidato está obligado a aceptar la crítica comunitaria. Se considera que se ha realizado un proceso transparente cuando virtudes y defectos son expuestos en la asamblea, y se pronuncia todo el que quiere participar, ya sea que lleguen a consenso o se logre una mayoría de opiniones. La excepción a esta norma es la elección de los alcaldes municipales de San Pedro y San Juan La Laguna, cuya postulación y elección se hace con los mecanismos de los partidos políticos, aunque la comunidad tiene incidencia en la elección de los candidatos.
- La discusión de los asuntos comunitarios sigue un proceso que se caracteriza por el énfasis en la búsqueda de consenso. Todos tienen derecho a expresar sus opiniones, que se valoran y toman en cuenta en la discusión. En cualquier momento se pueden aportar argumentos que implican rectificar acuerdos parciales; inclusive, en aras de lograr la unanimidad, se puede ceder y aceptar proposiciones que engloban las perspectivas comunes. Un buen dirigente debe ser capaz de moderar adecuadamente esas reuniones, ciñéndose a las normas comunitarias acerca de la participación y libre opinión.
- Sin excepción, en todas las regiones el dirigente que desempeña un cargo, independientemente de su capacidad o prestigio, es considerado un servidor o representante de la comunidad, y se espera que ejecute las acciones encaminadas a poner en marcha las decisiones comunitarias, consultando en los asuntos de importancia a la asamblea. Asimismo, las autoridades son vigiladas en todos sus actos, y a pesar del prestigio que puedan tener, si cometen errores o toman decisiones fuera del mandato comunitario, pueden ser sometidos a auditoría por la asamblea; cuando reconocen sus errores, pueden optar entre repararlos o ser destituidos del cargo, perdiendo la confianza comunitaria. Esto no se aplica a los alcaldes municipales de San Pedro y San Juan La Laguna, que no pueden ser despedidos de manera directa por la comunidad, aunque están obligados a respetar y consultar a quienes integran las instancias comunitarias de toma de decisiones.
- La comunidad espera que tanto las autoridades electas como su familia, se constituyan en modelos de buen comportamiento para la comunidad, ya que si un dirigente tiene problemas familiares, da mal ejemplo a la comunidad.
- También se espera que el dirigente demuestre en su comportamiento el respeto a las normas de la comunidad, a las personas, sin importar su condición, y a los rituales y símbolos sagrados. De manera especial, se enfatiza su imparcialidad y buen juicio recordándole en la toma de posesión que *'la ley no tiene madre ni padre'*.

Al dirigente se le escoge porque tiene las cualidades que lo convierten en un guiador de la comunidad; debe ser capaz de encontrar el camino del recto comportamiento, las soluciones que no lo aparten del mismo, y señalarlo a la comunidad. Estas cualidades y el prestigio inherente se consigue en la evaluación sistemática que la comunidad hace del desempeño de la persona en cada uno de los cargos para los que es electo. En todos los casos, se espera que el dirigente ponga el ejemplo, tanto si se trata de actividades como si se toman decisiones o se realiza la discusión y análisis de los problemas. Saber escuchar, saber evaluar, ser sencillo en el trato y dar a cada quien su lugar y su valor, son las cualidades que confieren prestigio al dirigente, a la vez que le garantizan el respeto a su papel como autoridad.

3.6. La estructura de autoridad y la gestión comunitaria

Cada una de las regiones tiene una estructura de autoridad; en todos los casos, ésta es compleja, ya que entreteje funciones y niveles, actividades y mecanismos de toma de decisión. Las autoridades se entienden como un ente ejecutivo, de convocatoria y de organización de la gestión; la asamblea comunitaria es la instancia superior de toma de decisiones.

En las aldeas de Panacal y La Ceiba la autoridad que se encarga de la gestión de los asuntos diarios es el Comité Promejoramiento, y la Junta Directiva del mismo tiene la representación de la comunidad. Bajo su coordinación se encuentran los comités específicos, las juntas directivas de grupos de la iglesia o de las viudas, y los alcaldes auxiliares. El *Qawxeel*, o la persona de la Cofradía que ha escalado el mayor rango, es la autoridad tradicional principal; es el consejero de la comunidad y el encargado de las rogaciones. B'ulej entreteje en su estructura de autoridad los niveles sagrado y secular. Por un lado, el Alcalde Municipal y los Alcaldes Auxiliares representan el máximo nivel de autoridad; por el otro, ambas autoridades coordinan con el Consejo de Ancianos la toma de decisiones, y la comunidad decide y hace nombramientos en todos los aspectos de la vida diaria. Cada uno de cargos constituyen un paso en la jerarquía de prestigio, requiere un nombramiento y el aval comunitario.

De la misma manera, las comunidades *Q'eqchi'* entretejen en su estructura los cargos de gestión con los niveles tradicionales de autoridad. En cada comunidad, el alcalde auxiliar, el dirigente del Comité Promejoramiento o Primer Comité, el Chinam y los Consejos de Ancianos se encargan de la gestión comunitaria desempeñando funciones distintas: consejeros, asesores o ejecución de las resoluciones. El mayor prestigio lo tienen las autoridades tradicionales.

En *Quiquibaj*, Buena Vista y *Paxoj*, de la región Mam, el alcalde auxiliar es el que encabeza la gestión diaria; el Comité Promejoramiento, con un poco menos de prestigio, tiene un papel relevante. Las directivas de los grupos de la iglesia católica desempeñan funciones rituales y de toma de decisiones.

En las comunidades de Totonicapán, las Alcaldías Auxiliares representan el mayor nivel de autoridad, aunque exis-

ten otras instancias que, en su terreno, tienen casi el mismo nivel de prestigio, como los Comités Promejoramiento y los comités específicos, dentro de los que sobresalen aquellos que se encargan de la gestión del agua potable. Estas instituciones son convocadas por los Alcaldes Auxiliares para cuando es necesario tomar decisiones trascendentales. Las autoridades tradicionales se agrupan en torno a la administración de los Baños de agua caliente; los *Aj Q'ij* y las comadronas y curanderos son quienes desempeñan el papel de consejeros, aunque no tienen una incidencia explícita.

Santa María Tzejá ha establecido su sistema de autoridad con cuatro instancias que deben coordinar sus funciones: el Comité Promejoramiento, la directiva de la Cooperativa, la Unión de Mujeres y el Alcalde Auxiliar. Cuando se toman decisiones de trascendencia, deben reunirse las cuatro instancias. Sin embargo, en la vida diaria, la Cooperativa y el Comité Promejoramiento son quienes tienen mayor peso en la toma de decisiones; el alcalde auxiliar funciona como enlace con las autoridades municipales. En esta comunidad la participación se organiza por sectores, de tal manera que existe una gran cantidad de grupos que representan intereses específicos. En Manos Unidas y la Cooperativa Nuevo Amanecer existe una estructura similar a la de Santa María Tzejá; el mayor peso en la toma de decisiones lo tiene la Cooperativa. Existe alcalde auxiliar, aunque en la práctica, se subordina a la Junta Directiva de la Cooperativa y se encarga de las gestiones ante el alcalde municipal.

San José Petén reconoce como máxima autoridad al alcalde municipal, pero la relación con esta autoridad se encuentra debilitada. Su organización parece encontrarse en un momento de transición, por la reciente pérdida de sus estructuras propias; actualmente, la organización comunitaria es encabezada por los grupos y dirigentes religiosos.

En Primavera del Ixcán, formalmente, el Comité Ejecutivo de Primavera del Ixcán constituye la máxima autoridad comunitaria; sin embargo, también tiene un papel muy importante la Junta Directiva de la Cooperativa. No existe alcalde auxiliar; la comunidad está organizada en 4 sectores territoriales, y en cada uno de ellos, una representación coordina a los dirigentes de grupos con intereses específicos.

Las comunidades *Tz'utujil* de San Juan La Laguna reconocen al alcalde municipal como la máxima autoridad, en tanto que las comunidades *K'iche'* cuentan con un alcalde auxiliar que, a más de ser la autoridad de mayor prestigio en las aldeas, funciona como enlace con el Alcalde Municipal. El Consejo de Principales nombra al Primer Principal entre los ancianos que lo forman y asiste y aconseja al alcalde municipal. La Acción Católica tiene incidencia en la toma de decisiones comunitarias a través de su presidente, que coordina con el Consejo de Ancianos. En cada una de las aldeas existe también un Consejo de Principales formado por los Alcaldes Auxiliares que prestaron servicio, llamados *las pasadas autoridades*. De la misma manera, San Pedro La Laguna reconoce al Alcalde Municipal como su máxima autoridad, aunque en esta última comunidad el Consejo de Principales se encuentra debilitado. Actualmente, la asamblea de representantes de los distintos grupos y organizaciones de la comunidad asesora a la alcaldía en la toma de decisiones, y es consultada en todos los asuntos de trascendencia.

Dentro de los cambios más importantes que fueron reportados, se encuentra la resistencia al desempeño del servicio a la comunidad por parte de los jóvenes, sobre todo en las comunidades urbanas y suburbanas, donde la familia depende de un salario para vivir. En los casos más acentuados de rebeldía frente al servicio, la comunidad ha establecido regulaciones que castigan la evasión de esta obligación con el retiro de los beneficios o servicios comunitarios, al interesado o a su familia.

Nuevas estructuras de autoridad se crearon durante los últimos 20 años; tal es el caso los *comités* establecidos por la legislación guatemalteca, como grupos de gestión o de trabajo especializados. Las juntas directivas de las cooperativas, de los grupos de iglesias o de organizaciones no gubernamentales existentes a nivel local, son otras nuevas formas que va adoptando la gente para hacer viable su participación. A través de este mecanismo, las comunidades realizan el servicio a la vez que atraen los recursos necesarios para el mejoramiento comunal.

Sin embargo, también es importante señalar que han cambiado las prácticas de ejercicio de la autoridad como resultado de la incidencia de los patrones de autoritarismo y violencia de los últimos 20 años. Algunos niveles de autoridad fueron suprimidos: alcaldes auxiliares en Panacal y La Ceiba, Principales en *Chiyax* y Tenerías, Cofrades en las comunidades Mam. Asimismo, se definieron de otra manera las relaciones con las alcaldías municipales: desaparecieron los lazos que unían a los alcaldes auxiliares de *Paxoj, Quiquibaj* y Buenavista con las autoridades municipales; la alcaldía de San José pasó de la elección en asamblea comunal al sistema de partidos políticos; los alcaldes municipales de San Juan y San Pedro la Laguna ganaron legitimidad frente a sus electores, aunque transitaron de la elección tradicional por votación directa en asambleas al sistema de partidos políticos.

La convivencia comunitaria

4.1 La dimensión territorial de la identidad

Es miembro de una comunidad quien nace en ella; se le considera como *"hijo de esa tierra"*. Por ello, la aldea de procedencia es una referencia territorial privilegiada para la identidad.

Sin embargo, estas concepciones se han redefinido en función de la situación que viven las comunidades. Así, en Tenerías, Totonicapán, se ha establecido una normatividad para que la persona que llega a vivir en la jurisdicción territorial de la comunidad se incorpore a la misma, aprendiendo paulatinamente los comportamientos y obligaciones que tiene. En Santa María Tzejá, debe solicitar su ingreso a la Cooperativa, para lo cual requiere recomendación. En Primavera del Ixcán, es la aceptación del actual régimen comunitario y el haber compartido las penurias y sufrimientos provocados por la violencia lo que define la pertenencia a la comunidad.

En otras comunidades, solamente el nacimiento confiere la identidad comunitaria: en *Nimlaha'kok*, quien nace en la comunidad tiene derecho a acceder a la tierra para sembrar. En San José, sin embargo, la migración de campesinos orientales en busca de tierra ha provocado una situación de desorden y debilitamiento del régimen comunitario en lo referente al uso y manejo de los recursos naturales y a los criterios de adquisición de la tierra, que, en el régimen propio, son privilegios de los nacidos en San José.

Dentro de los cambios que mayor impacto han tenido sobre la estructura comunitaria, se encuentra el desarraigo territorial y la convivencia entre distintas comunidades lingüísticas. Por un lado, esta situación ha provocado transformaciones y pérdida de prácticas tradicionales; pero por el otro, ha abierto el espacio para la reafirmación y modernización de las instituciones y formas de vida indígenas. En efecto, como resultado de la ampliación de perspectivas que ocasionó la vivencia del migrante en otros contextos, muchos de los valores tradicionales fueron revalidados, en tanto que otros fueron desechados o cuestionados. Así, los vacíos que dejó el desarraigo comienzan a ser llenados por prácticas y expectativas nuevas que se ensayan y articulan con las ya existentes.

4.2 Reciprocidad, apoyo mutuo y trabajo comunal

En todas las comunidades se realizan las faenas o trabajos comunales para la construcción o mejoramiento de los servicios de uso colectivo. Cada comunidad cuenta con reglas claras acerca de este aspecto, así como de las alternativas y sanciones que se aplican en caso de incumplimiento. El régimen de trabajo comunal se mantiene sobre la base de una convivencia comunitaria reforzada por los distintos mecanismos de ayuda mutua, que consisten generalmente en intercambios de alimentos, trabajo, apoyo moral, mano de obra y convivencia festiva. Es importante destacar el apoyo entre vecinos para la siembra y cosecha de la milpa, la producción de cal o la construcción de la casa. En todos estos casos, quien recibe ayuda queda obligado a agradecerla con alimentos que se ofrecen a quienes lo apoyaron, y a devolverla cuando estos últimos tengan necesidad. El incumplimiento se sanciona moralmente con el descrédito de la persona que incumple, a quien nadie ayudará en sus trabajos. Las cooperativas se atienen a reglamentos escritos, y los grupos productivos, cuentan con reglas precisas, conocidas de todos y trasmitidas oralmente. Quien incumple en este último caso, es expulsado del grupo de trabajo, y ningún otro grupo lo vuelve a aceptar.

Dos mecanismos productivos se destacan de manera especial en los informes: el régimen de cooperativas implementado por la iglesia y otras organizaciones, y los grupos de trabajo de la cal, que se organizan en Cabricán de acuerdo a la fase de la producción a la que se dedican. El primero ha sido tomado de la legislación occidental y adaptado a las necesidades comunitarias, el segundo es un mecanismo tradicional, que se ha venido perfeccionando a la vez que se van adquiriendo nuevos elementos tecnológicos.

4.3. Comercialización e intercambio de productos

Cuando una familia carece de granos básicos, recibe en préstamo la ayuda de sus vecinos; en el caso de que esta carencia se deba a su poco empeño productivo, los vecinos no le apoyan. En la comunidad *Q'eqchi'* se considera que no es correcto que una persona padezca hambre cuando los demás le pueden ayudar.

Los excedentes de maíz y frijol y otros productos se comercializan de manera directa en los mercados locales; sin embargo, en algunas comunidades no se vende el maíz, porque se estaría ofendiendo al Dueño, que ha dado abundancia para esa persona o comunidad, y que puede negar sus dones a todos.

La comunidad Chuj ha establecido acuerdos con las comunidades vecinas para intercambiar productos que existen en una comunidad y que las demás no tienen, por otros productos o por el permiso para usar los excedentes de tierra comunitaria para sembrar.

El producto que tiene las mayores restricciones comunitarias para su comercialización es la madera; en *Nimlaha'kok* la venta de caoba a personas ajenas a la comunidad es mal vista por los vecinos. En otros casos, se debe pedir permiso a las autoridades, estableciendo con precisión el uso que se le dará a la madera que se solicita..

5. La familia, la educación familiar y la relación entre padres e hijos

La socialización de los niños depende sustancialmente de la educación familiar. Asimismo, este proceso educativo constituye la principal obligación de la familia, y es a la vez, la base de la reproducción de la identidad y de los conceptos fundamentales de la cultura indígena. La transmisión de las normas se da principalmente a través del ejemplo y la palabra.

Durante el ciclo de vida personal, la comunidad y la familia acompañan el crecimiento y el desarrollo de cada uno de sus miembros. Se entiende la vida humana como un proceso en el que se va ganando la madurez, conforme se desarrolla el aprendizaje y las capacidades del sujeto. Cuando se casan, realizan rituales de casamiento ante las autoridades de la comunidad; los padres y los padrinos se convierten en sostén de la pareja, aconsejándolos y guiándolos mientras adquieren experiencia. En algunas comunidades, junto con el casamiento se asignan al joven los primeros trabajos y obligaciones comunitarios que debe desempeñar. Cuando la experiencia y capacidades se juntan, el joven ha completado su aprendizaje, y comienza a separarse de la familia y a conducir su vida y la de sus hijos. De acuerdo a esta tradición pedagógica, los padres son los responsables de evaluar y facilitar las condiciones necesarias para que cada uno de sus hijos se desarrolle, y de garantizar la oportunidad de la información que necesitan.

Durante este proceso, la comunidad se mantiene atenta, e incide en la dirección de los acontecimientos. El control comunitario sobre el comportamiento de los niños y jóvenes se ejerce actualmente a través del mecanismo de la censura expresado en comentarios o asambleas comunitarias; en

estas últimas se discuten colectivamente los méritos, defectos o errores de las personas propuestas para el desempeño de los cargos de autoridad o de servicio; los problemas y comportamientos personales.

En todos los órdenes de la vida, los adultos se entienden a sí mismos como guías o modelos de comportamiento para los jóvenes, debido a la premisa de que la educación más efectiva es aquella en la cual el niño o el joven aprende haciendo o siguiendo el ejemplo de los adultos. Sistemáticamente, se establece una comunicación por la cual los niños reciben consejos a través de reflexiones sobre los hechos de la vida diaria, corrección de errores o faltas, o sencillas historias ejemplares que les muestran las consecuencias del mal comportamiento o el irrespeto a las normas comunitarias. Esta metodología tiene consecuencias en la vigencia del derecho indígena, ya que las nuevas generaciones se apropian así del acervo normativo que la comunidad respeta y opera cotidianamente.

5.1. La formación de la familia: el régimen de matrimonio

La pareja se casa ante su familia y ante la comunidad. En algunas comunidades, existe una autoridad que se encarga de sancionar los matrimonios, en el caso de *Nimlaha'kok* cada familia escoge a la persona que se desempeñará como *Aj Jacholuu*

La familia del novio debe iniciar el ritual del matrimonio; sus padres, acompañados de ancianos, dirigentes o padrinos, establecen mediante la entrega de dones que mantienen el equilibrio y la relación justa entre quien da y quien recibe, la posibilidad de matrimonio. Las mujeres generalmente pasarán a vivir a la casa familiar del hombre; por ello, el matrimonio se concibe como "arrancar" a la joven de su raíz, y "plantarla" en otra rama familiar.

El acto central del matrimonio es el *pixab'* o momento solemne en que los ancianos y todos aquellos que tienen experiencia trasmiten oralmente a la pareja las normas de vida que regirán su nuevo estado.

Existen normas para la protección de los hijos desde el momento mismo de su concepción. Asimismo, los niños que quedan desamparados por la muerte de sus padres son adoptados por los familiares o vecinos, quienes se comprometen a cuidarlos como si fueran sus hijos.

6. Las normas y las transgresiones

Las normas se elaboran y actualizan durante el proceso de resolución de los problemas o transgresiones al orden comunitario, y quienes las sintetizan y aplican son las autoridades. Las normas tradicionales son interiorizadas, producidas y reproducidas por la comunidad. Las personas obedecen y respetan las decisiones de las autoridades cuando han sido nombradas de acuerdo a los procedimientos propios. De la misma manera, cada familia socializa a los niños en el marco de la normatividad comunitaria, con un proceso ordenado y sistemático que reproduce la identidad de las nuevas generaciones.

En términos generales, se establecen mecanismos sociales que permiten que las personas, de manera inmediata, cuenten con apoyo, consejo o asesoría cuando tienen dudas sobre el camino o curso de acción que deben seguir; en el caso de lo sagrado, el *awas, awastink* o *xajan* señalan, con ejemplos sencillos, qué es lo que no se debe hacer, y cuál es el comportamiento apropiado. En la vida diaria, los padres, abuelos, padrinos, dirigentes, ancianos y testigos de boda se encargan de realizar esta tarea. De esa manera, se persuade, aconseja o señalan las consecuencias que podría traer la transgresión de las normas. De la misma manera, se pide apoyo al Creador y Formador para no caer en el error.

Sin embargo, nadie está exento de cometer errores o faltas. Equivocarse es parte de la naturaleza humana; por ello, se cuenta con los mecanismos necesarios para reparar o desagraviar cuando se comete una transgresión, así sea involuntariamente.

Las transgresiones pueden ser cometidas individualmente, y entonces se castiga al sujeto. Pero también pueden dar lugar a castigos colectivos, sobre todo cuando estas faltas u omisiones afectan lo sagrado o algún aspecto considerado como sagrado.

El primer paso para resolver las transgresiones es el reconocimiento de las ofensas; se hace frente a los agraviados, a la asamblea comunitaria o a las autoridades. La discusión y análisis de las ofensas, de sus causas, motivaciones o consecuencias incluye al ofensor, quien debe tomar conciencia de la falta y de sus implicaciones. El segundo paso es la propuesta de resolución por parte de las autoridades, señalando las responsabilidades y salidas a la situación. Luego viene la discusión sobre la propuesta de las autoridades; el ofensor, nuevamente, puede estar de acuerdo o no con la propuesta; en este último caso, puede defenderse y argumentar a su favor. Después, la atención se concentra en los mecanismos de reparación, individuales o colectivos, dependiendo de la naturaleza de la falta.

Las autoridades que presiden la discusión son las responsables de ir recogiendo, de la discusión entre ofendidos, ofensores y testigos que se hacen presentes por propia voluntad o a instancias de las autoridades, los elementos que permitan señalar los errores, faltas, agravantes o atenuantes, así como las responsabilidades, castigos, señalamientos o sanciones a los que se hace acreedor el ofensor. Cuando se trata de faltas que ponen en riesgo el orden comunitario, se contemplan también los rituales de desagravio necesarios, pues se está cometiendo una transgresión que involucra lo sagrado. Igualmente, se tratan de manera distinta los errores o faltas involuntarias, y aquellas en las que existe mala fe y premeditación.

De manera especial, las transgresiones que ofenden el orden sagrado requieren la intervención de los guías espirituales, así como la realización de actos de desagravio, pago o reparación. Las penas que se derivan de la transgresión afectan la vida personal o comunitaria: negación de los dones necesarios para la vida, enfermedades, plagas, accidentes o la muerte del transgresor o de alguien de su familia. Para evitarlas, es necesario pedir perdón y ofrecer honestamente la reparación o el pago.

Como resultado del proceso, los involucrados deben adquirir experiencia, aprender algo, cambiar en su comportamiento o restablecer relaciones armónicas con aquellos a quienes ofendieron. El compromiso para no volver a cometer la falta, y el castigo severo de la reincidencia, forman también parte sustancial del proceso de búsqueda de equilibrio.

7. La definición del derecho indígena

Las conclusiones anteriores implican la existencia de un sistema de normas y regulaciones que se corresponde y encuentra su racionalidad en los ejes de la cultura indígena. Este sistema se articula a partir de categorías y conceptos propios.

El orden social se complementa con el orden natural, y es obligación de la especie humana que ambos se articulen armónicamente. La relación con la Naturaleza contiene las normas fundamentales que obligan a cada persona a tener conciencia de este hecho. La Madre Tierra, el Padre Sol, La Abuela Luna rigen mediante una combinación entre normas y leyes naturales las relaciones sociales, políticas y económicas dentro de la comunidad, y la reproducción material y espiritual de la familia indígena.

Las regulaciones, entonces, se refieren a los dos niveles de la realidad, de manera que la acción humana se define y modela, por voluntad y decisión comunitaria, pero también por las actividades productivas, por los ritmos y procesos naturales, que se deben mantener en armonía y equilibrio.

Las normas y los procedimientos son la parte sustantiva de este derecho, pero sobre todo, los conceptos y fundamentos de las normas constituyen el núcleo del derecho indígena; son siempre muy generales en su formulación, pero con rituales, procedimientos y actores muy precisos en su aplicación cotidiana. La fuerza de estas normas reside en el prestigio, respaldo y respeto que merece la autoridad que la aplica, y en reconocimiento de dichas normas como justas por cada una de las personas que se someten a ellas.

El sistema de derecho indígena se apoya en:

a) una filosofía y base cultural propia, con conceptos y categorías derivados de la cosmovisión Mayas
b) normas generales, que establecen los elementos centrales que rigen el actuar humano y las relaciones entre la persona y la familia, la comunidad, su hábitat o territorio, y las relaciones entre comunidades;
c) prácticas apegadas a los conceptos y filosofía, que se constituyen en modelos de actuación de los actores y circunstancias en que se aplican, articuladas con y fundamentadas en las normas generales;
d) Regulaciones y procedimientos que se derivan de la filosofía y de las normas, y que son aplicadas por el sistema propio de autoridades comunitarias, elegido con la participación de todos los vecinos,
e) Una instancia de reflexión y reformulación de las normas, constituida por la asamblea comunal y encabezada por las autoridades, que sistemáticamente actualiza las normas y verifica su aplicación con estricto apego a la equidad.
f) Un sistema de autoridades encargadas de aplicar las normas, que se forman en procesos de servicio a la comunidad de carácter jerárquico, donde la persona gana experiencia y prestigio, y aprende el contenido y significado de las normas.

Asimismo, este sistema de derecho indígena está fundamentado por un énfasis particular en la reflexión, toma de conciencia y autorregulación de la conducta para adecuarla a las normas discutidas y aceptadas colectivamente. Su modo de operación se centra en que cada uno de los sujetos involucrados en un problema o situación analicen, adquieran información suficiente, verifiquen o expongan las causas o razones que han tenido para un determinado comportamiento.

En resumen, lo más importante del derecho indígena son los principios rectores del mismo, y el proceso de reflexión que desata, así como el involucramiento personal de quienes lo aplican. Es bien conocido por todos los comunitarios, ya que forma parte del acervo común. Por ello, siendo un sistema normativo, no se puede aplicar como un conjunto de leyes y reglas fijas. En la aplicación del derecho indígena tiene relevancia la situación en la cual se aplica, así como los valores y principios morales que lo fundamentan. De estos últimos, los más importantes son las nociones de equilibrio, armonía y respeto.

Los conceptos y fundamentos del derecho indígena

8.1. El equilibrio y la armonía

El orden originario tiene como características esenciales el equilibrio y la armonía entre todos los elementos que existen en la Creación. El equilibrio se refiere a la relación entre lo que se necesita y lo que se recibe, lo que se pide y lo que se da. Se hace alusión a la complementariedad, a la necesidad y a la finalidad. Cada elemento y cada proceso de la creación tiene una finalidad; para cumplir con ella, se establecen relaciones de necesidad y de complementariedad entre las cosas, procesos, elementos y personas. Hay equilibrio cuando estas relaciones se establecen de manera que las partes se encuentran en armonía.

La armonía se refiere, esencialmente, al estado en el cual se tiene conciencia de estar cumpliendo la finalidad inherente a la existencia. Es una especie de unidad y concordancia en energía y en estado espiritual, que se establece entre las personas, y entre la persona y las cosas, o entre varios elementos de la creación. Es también un estado interno de la persona. Las acciones que se realizan cuando la persona está en armonía, inducen intercambios con el mundo exterior de los que resultan dones y prevención de daños para la especie humana.

Por ello, es necesario conocer las leyes de la Naturaleza, ya que esto permite conocer también la esencia de las cosas. Cuando el espíritu está en desequilibrio, no hay armonía, no existe concordancia, y esto se trasmite a los elementos que rodean a la persona. Así, el cazador no puede salir a la caza del venado si ha peleado o está disgustado con su mujer; *'... en la quema de la cal nuestros abuelos cumplían con estar alegres,*

sin problemas en la familia o con sus compañeros para que la piedra se queme con toda normalidad…'

Para que exista armonía, se busca que las cosas o procesos se desarrollen *como debe de ser*; para ello, se recurre también al consejo y la sabiduría colectivas. La autoridad, entonces, consulta con todos.

El equilibrio y la armonía resultan de la incidencia y del acomodamiento de la acción humana con el devenir del cosmos y del universo. Por ello, el orden social (la comunidad, sus autoridades e instituciones), el orden natural (Madre Tierra, Madre Naturaleza) y el orden cósmico (la energía, los planetas, las estrellas) deben desarrollarse como procesos con intercambios y complementariedades entre ellos. Como una consecuencia de lo anterior, el irrespeto a las normas que regulan el orden social, natural o cósmico constituyen transgresiones graves que ponen en riesgo la armonía y el equilibrio de la Creación en su conjunto.

8.2. El respeto

'El respeto, como la forma de entender la necesidad del existir de cada cosa, permite que el camino de la vida sea correcto y mantiene ordenada la comunidad' (§1.7). Es decir, la actitud de respeto o el sentimiento de veneración involucrado en la actitud ante lo sagrado, constituye el principal concepto operativo mediante el cual se manifiesta la visión que la cultura maya tiene de la relación con los demás elementos de la creación.

"Tener respeto, respeta" constituye una idea sumamente compleja, que sintetiza valores, creencias y contenidos relacionados con el lugar y la función que la persona y el entendimiento humano tienen en el Universo. Las personas respetan porque tienen entendimiento, conocimientos, educación. Quien no respeta no tiene educación; su comportamiento avergüenza a la familia y a la comunidad. Puede referirse a relaciones entre un nivel de jerarquía superior y otro inferior, o a niveles iguales. También puede aludir a la relación entre lo sagrado y la persona. Son reglas, comportamientos o actitudes que expresan respeto:

- Saber agradecer la vida o los dones que se reciben.
- Pedir o tomar, de la manera adecuada, lo necesario para la vida: "no desperdiciar", "usar las cosas de acuerdo a su naturaleza".
- Cuando se toma algo de la Naturaleza, pedirlo al Dueño o Espíritu protector, invocando las razones que se tienen para usar el bien que se solicita, privándolo de la vida o dejando a otros elementos sin ese bien (informar y pedir permiso antes de alterar el equilibrio o disposición original de las cosas).
- No atentar contra la vida humana o la integridad física y moral de las personas.
- Tomar la vida de otro ser (animales, plantas) solamente cuando se tiene derecho a hacerlo, para satisfacer una necesidad o con fines rituales.
- Realizar actividades o procesos productivos en estricta observancia de las fases de la Luna.
- Realizar el cultivo de la milpa, la extracción de cal, o cualquier otra actividad en la que se usan o manejan recursos provenientes de la Madre Tierra, siguiendo los distintos procesos y ciclos de ritualidad que los Antepasados dejaron como herencia.
- Tener conciencia y valorar de manera especial lo sagrado, mediante rituales o comportamientos establecidos.
- Dar un lugar especial y realizar los rituales necesarios para honrar la memoria de los Antepasados.
- Dar un lugar privilegiado a los ancianos, reconocer el valor de su experiencia y comportarse ritualmente en la relación con ellos.
- Asistir puntualmente a las convocatorias de la autoridad y someterse a las decisiones de la asamblea comunitaria.
- Seguir y acatar las normas comunitarias.
- Saludar a cada persona según el lugar social y prestigio que tiene.
- Realizar los intercambios rituales y los procedimientos establecidos para cualquier petición, especialmente, en el matrimonio.
- Honrar puntual y estrictamente la palabra empeñada, los consensos y acuerdos o los compromisos contraídos.
- Decir la verdad, sobre todo cuando se está frente a la autoridad.
- No contar chismes, ni divulgar secretos que otra persona ha confiado a alguien; no levantar calumnias.
- Tomar en cuenta a una persona, darle su lugar, escuchar y atender lo que dice, en concordancia con el lugar social y el prestigio que esta persona tiene.

El respeto constituye, entonces, un código de ética que norma el comportamiento individual y colectivo: a la vez que *"se da respeto"* a quienes lo merecen, *"se recibe el respeto"* en la forma y proporción acorde con el lugar que ocupa alguien en la comunidad.

Se considera una transgresión la *falta de respeto*; los castigos que se reciben pueden ser individuales o afectar a toda la comunidad. Sin embargo, la mayoría de las *faltas de respeto*, cuando se refieren al comportamiento personal, son sancionadas a través de la adscripción o retiro de prestigio a la persona que comete la falta y a su familia; para el ello, la murmuración entre los vecinos es el mecanismo privilegiado. Los errores o equivocaciones que no se cometen de mala fe, no son consideradas faltas de respeto.

8.3. La justicia

La justicia se entiende como un estado de armonía y equilibrio, donde cada quien tiene lo que merece según sus obras. No es un resultado que se alcance solamente por medios humanos; la divinidad o las fuerzas de la naturaleza también pueden dar dones y felicidad, o sufrimientos a quienes cometen transgresiones. Siguiendo los modelos originarios de comportamiento, las autoridades comunitarias se aplican para mantener, restaurar o inducir el equilibrio y la armonía, cuando las acciones humanas lo ponen en riesgo. Es justo quien es capaz y se esfuerza por comportarse de manera recta, sin torcer su

camino o sus intenciones. La justicia se entiende como el resultado de la aplicación sistemática de un marco de regulaciones, normas y valores, que busca de manera permanente, la armonía, reciprocidad y equilibrio entre las personas, la comunidad, la naturaleza y el Creador.

9. Sobre la relación con el Estado

Existe una relación conflictiva, marcada por la desconfianza, entre las comunidades y el Estado, a la vez que se revelan las aspiraciones comunitarias por mejorar esta relación.

Las comunidades reconocen su ignorancia, incomprensión o desacuerdo con las normas y, sobre todo, con los procedimientos que aplican las autoridades estatales; señalan que la relación entre el Estado y la comunidad pone en operación la discriminación y exclusión de los indígenas en cuanto al ejercicio de sus derechos como ciudadanos guatemaltecos: registro de nacimientos y defunciones, trámites y gestiones en oficinas públicas, acceso al servicio de salud o educación, gestiones de fondos para obras comunitarias. Igualmente, señalan la corrupción, la distancia entre lo que se dice y lo que se hace y el comportamiento poco ético de las autoridades como los principales obstáculos para que esas autoridades reciban respeto y reconocimiento a su labor de parte de los comunitarios.

De manera especial, reclaman la inexistencia de mecanismos de consulta y participación a las comunidades cuando se establecen las regulaciones nacionales o se toman decisiones que las afectan directamente. El sistema de partidos políticos convierte la elección de las autoridades en asuntos externos, en los que a las comunidades se les pide respaldo a personas que no han cumplido con el servicio o que tienen poco prestigio comunitario; esto provoca la desarticulación entre la comunidad y las instancias que los representan en los niveles municipal o nacional.

Pero reconocen la necesidad de relacionarse con las instituciones del Estado; implícitamente, han establecido los mecanismos de complementariedad necesarios para que la normatividad indígena se apoye en las instancias de administración de la justicia: reiteradamente señalaron que los asuntos en los cuales la autoridad comunitaria no tiene jurisdicción (porque rebasa sus atribuciones o porque alguna de las partes no reconoce su legitimidad), las pasan a los juzgados, alcaldías municipales o dependencias pertinentes. Sin embargo, mientras no haya un reconocimiento explícito de la normatividad y de la existencia, atribuciones y alcance de las autoridades indígenas, este esfuerzo de articulación seguirá recayendo solamente en la iniciativa comunal. Las comunidades reconocen la necesidad de la vigencia de la ley nacional, y de la articulación de la normatividad indígena con ella. También sienten la necesidad de que el sistema de administración de justicia funcione bien, ya que, en la mayoría de los casos, el sometimiento a las autoridades comunitaria es voluntario, sin embargo, las comunidades tienen normas que condicionan los derechos al cumplimiento de las obligaciones. Señalaron que muchas de las transgresiones que afectan a la comunidad y a los vecinos son cometidas por personas no indígenas, y frente a los juzgados, no tienen oportunidades de denunciar y hacer prosperar los procesos.

Sin embargo, señalan con amargura que el Estado niega sistemáticamente la existencia, funcionamiento y labor de las autoridades indígenas. Así, constataron que en los casos en que reciben alguna asesoría, ésta no se corresponde con la realidad o con las necesidades comunitarias.

Las relaciones entre comunidades y gobiernos municipales se han ido transformando históricamente; han pasado del centralismo impuesto por los gobiernos autoritarios, a la apertura relativa que representaron los partidos políticos a partir de los años 1940s, y que erosionaron el sistema de autoridad indígena. Igualmente, han sido desfavorables para los indígenas el cambio de atribuciones del Alcalde Municipal en cuanto a la administración de justicia y la creación de los juzgados, así como la transformación más reciente de los gobiernos municipales en ejecutores de un porcentaje relativamente alto del presupuesto general. Las quejas se refieren a la corrupción en el manejo de los presupuestos o en la administración de justicia, y a la marginación que sufren las aldeas en cuanto a la asignación de recursos destinados a la prestación de servicios estatales, particularmente, lo relacionado a la infraestructura. Otro aspecto que se remarcó fue la falta de participación de las autoridades comunitarias en la toma de decisiones a nivel municipal; en todos los casos, a excepción de San Juan y San Pedro La Laguna. Intentando resolver este problema, las comunidades han realizado esfuerzos de creación de estructuras regionales que les haga posible una mayor incidencia en la gestión municipal.

* *Este documento es un resumen del capítulo 3 del libro Más allá de la Costumbre: Cosmos, orden y equilibrio, editado por COPMAGUA; contiene las conclusiones de la investigación realizada en 42 comunidades mayas de Guatemala.*

Notas

1 Este trabajo es resultado del trabajo y la reflexión colectiva de autoridades indígenas, asambleas comunitarias y el equipo de investigación del Proyecto, en el que participaron como técnicos: Wilfredo Ivoy Morales, Francisco García, Nicolás Aguilar, Víctor José Lucas, Benjamín Pérez, Genaro Fabián, Rosa Nieves Batres, José María Quib Choc y Antonio Elías Quic, así como los siguientes investigadores comunitarios: Antonia Morales, Pedro Lajuj, Lorenzo López , Felipe Pérez Mateo, Mateo Alonso Sebastián, Carlos René Méndez Pérez Alfredo Tzic Pedro Miguel Lucas Héctor Rubén López , Elfego Lorenzo Baten, Santos Enrique Rojas, Agustín Velázquez, Pedro Canil, Gaspar Quino Guarcas, Eridenia Martínez, Miguel Rojas, Alberto Icó, Tomasa Nasira Chan, Bernabé Bol Cajbon, Carlos Oxom, Rosendo Choc, Héctor Col Choc, Cornelio Jorge Tzic, Domingo Vázquez. Juan González y Marina Cruz. Fue de gran valor la participación de los dirigentes comunitarios, a traves de los Consejos Consultivos Comunitarios que asesoraron a los equipos de trabajo en cada una de las regiones. Asimismo, se contó con el apoyo técnico y financiero de la Misión de las Naciones Unidas Para Guatemala (MINUGUA), y de la Coordinadora de Organizaciones Mayas de Guatemala (COPMAGUA), a través del Consejo Coordinador y la Comisión Nacional Permanente de Derecho Indígena.

2 El trabajo de las minas de sal negra, la extracción de cal, la extracción de madera del bosque, la caza de animales y, más recientemente, la canalización de fuentes de agua para su usufructo en la comunidad. ❑

LOS DERECHOS DE LOS PUEBLOS INDÍGENAS EN LA NUEVA CONSTITUCIÓN DE VENEZUELA

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Recientemente ha sido aprobada en Venezuela una nueva Constitución de la República. Este texto constitucional fue elaborado por la Asamblea Nacional Constituyente de 1999, cuyos miembros en número de 131 fueron elegidos popularmente. De los 131 constituyentes, hubo 3 representantes de los pueblos y comunidades indígenas del país, Noelí Pocaterra (Indígena Wayuú); Guillermo Guevara (Jivi); y José Luis González (Pemón) los cuales fueron elegidos directamente por las organizaciones indígenas de acuerdo a las bases comiciales que rigieron la Asamblea aprobadas en referendo por el pueblo venezolano. En el seno de la Asamblea Constituyente fue creada una Comisión de Derechos de los Pueblos Indígenas y su Relación con el Estado, con la Presidencia de Noelí Pocaterra y Vice-Presidencia de Guillermo Guevara, la cual coordinó todo el trabajo de preparación y discusión de la propuesta indígena.

El reconocimiento de los derechos de los pueblos indígenas en la nueva Constitución, ha sido fruto de la dura lucha que libraron los constituyentes indígenas, conjuntamente con las organizaciones indígenas de todo el país y diferentes grupos aliados. Con este reconocimiento, la Constitución venezolana pasa a ser una de las más avanzadas y amplias en América Latina, lo cual permite a los pueblos indígenas garantizar sus derechos fundamentales como pueblos.

En este trabajo se presenta un resumen del proceso vivido por los pueblos indígenas de Venezuela, la construcción y discusión de la propuesta y los logros más importantes en materia de derechos específicos.

La Propuesta Indígena: Una Construcción Colectiva

El día 07 de septiembre de 1999, las organizaciones indígenas de todo el país en un acto histórico entregaron en la sede del palacio legislativo al Presidente de la Asamblea Nacional Constituyente, un documento con las principales propuestas para ser incluidas en la nueva Constitución. Esta propuesta se construyó con los aportes y la discusión en numerosas reuniones, asambleas de comunidades, congresos regionales y especialmente con las conclusiones del "**Primer Congreso de los Pueblos Indígenas de Venezuela**" realizado en Ciudad Bolívar del 21 al 25 de marzo de 1999. Posteriormente estas conclusiones fueron discutidas por los pueblos y organizaciones indígenas en una "**Asamblea Nacional Indígena**" que se realizó en Caracas los días 05 y 06 de septiembre de 1999 donde se elaboró el documento final presentado a la Asamblea Constituyente.

La propuesta que presentaron los pueblos indígenas a la Asamblea Nacional Constituyente partió del reconocimiento de la preexistencia de los pueblos indígenas como grupos de culturas anteriores a la formación del Estado venezolano y de la consideración de los derechos de los pueblos indígenas como **derechos originarios**, que les pertenecen como pueblos y sujetos colectivos, y que son reclamados como **derechos históricos** anteriores a la formación de los Estados nacionales. Por esto se señaló que el reconocimiento de los derechos de los pueblos indígenas implica un profundo cambio de perspectiva política y cultural que orienta la conducción de los Estados nacionales[1]. Reconocimiento que se expresa en lo que algunos autores han llamado un **orden jurídico de la diversidad**[2], según el cual los Estados nacionales reconocen su carácter **multiétnico, pluricultural y plurilingüe.**

En las disposiciones fundamentales se propuso el reconocimiento de los idiomas indígenas como oficiales para los pueblos

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indígenas y se pidió la inclusión de un párrafo, dentro de las disposiciones relativas a la nacionalidad, en relación a la posibilidad de doble nacionalidad para los indígenas que habitan en zonas fronterizas ante la compleja problemática que se vive en esas áreas.

También se propuso un capítulo sobre los derechos específicos de los pueblos indígenas partiendo del reconocimiento de la diversidad étnica, cultural y lingüística del Estado venezolano, como un aporte a la pluralidad dentro del nuevo orden constitucional y del reconocimiento de la existencia de los pueblos y comunidades indígenas, su personalidad jurídica, organización social, política y económica, y los derechos originarios sobre las tierras y territorios que tradicionalmente ocupan. Para sustentar esta exigencia se señaló que los pueblos indígenas al formar parte de la sociedad nacional participan en la vida de sus respectivos países y el uso del término "pueblos" significa el reconocimiento de su identidad específica que los diferencia de los demás componentes de la sociedad en la que están insertos, reconociendo sus características sociales, culturales y económicas propias, así como su derecho a poseer el sustento territorial y el hábitat que necesitan. En la propuesta indígena se estableció que las tierras y territorios de los pueblos indígenas son inalienables, imprescriptibles, indivisibles e inembargables, y que corresponde a la República conjuntamente con las comunidades demarcarlas y garantizar el derecho de propiedad colectiva de las mismas. En este sentido, se indicó que este planteamiento de garantizar las tierras y territorios indígenas como los espacios geográficos en los cuales se desarrolla la vida física, cultural, social, política, económica y espiritual de los pueblos indígenas es común a la mayoría de las constituciones latinoamericanas.

Se incluyó también una disposición que establecía la obligación de tomar medidas para proteger el ambiente en los territorios indígenas, y la posibilidad de obtener los beneficios de los recursos naturales allí existentes según sus prioridades y con la obligación de consultar y contar con el consentimiento de los pueblos indígenas sobre los programas y proyectos a ejecutarse en sus tierras, para evitar la destrucción ambiental y el deterioro de su hábitat, como garantía de su existencia como pueblos con identidad propia. La propuesta también incluyó el reconocimiento del derecho de los pueblos indígenas a su identidad étnica y cultural, su idioma, su cosmovisión, valores, espiritualidad, religión, patrimonio cultural, histórico y artístico, lugares sagrados y de culto y la propiedad intelectual colectiva de sus conocimientos tradicionales, así como la protección de sus prácticas de manejo de la biodiversidad y acceso a los recursos genéticos en sus tierras. De igual manera, se exigió la garantía de una educación propia a través del régimen de educación intercultural bilingüe y que el Estado debía reconocer el derecho a la salud y al bienestar de los pueblos indígenas de acuerdo a su propia cosmovisión, el reconocimiento de sus propias prácticas médicas y la garantía de participación intercultural y bilingüe en el control de la salud.

También se incluyó una propuesta para garantizar el derecho a la participación política de los pueblos indígenas dentro de las estructuras del Estado, excluidos durante siglos de su participación real dentro de las sociedades de las cuales son parte. De igual manera, se exigió el reconocimiento de las decisiones de las autoridades tradicionales y organizaciones en sus asuntos internos así como el ejercicio de su derecho consuetudinario.

Se presentó una propuesta dentro de la división política territorial de la República de establecer una entidad propiamente indígena como garantía para el ejercicio de sus derechos en sus territorios, partiendo del estudio de otras constituciones latinoamericanas que han creado estructuras de división político territorial propiamente indígenas (Colombia: Entidades Territoriales Indígenas; Ecuador: Circunscripciones Indígenas; Bolivia: Entidades territoriales de Base).

Finalmente dentro de las disposiciones transitorias se propuso la inclusión de una disposición que estableciera la obligación constitucional de aprobar la Ley de Pueblos y Comunidades Indígenas y la demarcación de los territorios indígenas dentro de un lapso de tiempo determinado.

La Comisión de Derechos de los Pueblos Indígenas comenzó a trabajar y enriquecer esta propuesta con la ayuda de asesores y con la discusión y los aportes de especialistas aliados de la causa indígena. Este trabajo permitió fortalecer y mejorar la propuesta, que finalmente se convirtió en el informe presentado a fines de septiembre de 1999, ante la Comisión Constitucional que se encargó de elaborar el Ante-Proyecto de Constitución discutido por la Plenaria de la Asamblea Constituyente.

Producto de un esfuerzo y vigilancia incansable de los constituyentes indígenas y asesores se logró que en el seno de la Comisión Constitucional se incluyeran la mayoría de las propuestas recogidas en el informe de la Comisión de Derechos de los Pueblos Indígenas y se creo un Capítulo de Derechos de los Pueblos Indígenas el cual pasó a la discusión de la plenaria.

La Discusión en Plenaria: Batalla e Incertidumbre

Las organizaciones indígenas de todo el país, destacando los pemón, warao, arawako, wayuú, kariña, añú, ye´kuana, jivi, piaroa, piapoco, yanomami, baré, curripaco y otros, hicieron presencia en la sede del palacio legislativo para apoyar a los constituyentes indígenas y participar activamente en este proceso de reconocimiento de sus derechos. La espera fue muy larga por la discusión de muchos artículos y por lo difícil del debate. Los pueblos indígenas con una constancia admirable, esperaron día tras día que llegara el momento de la discusión del capítulo que contenía sus derechos. El tiempo transcurría entre fabricación de artesanía, bailes, oraciones, cantos de los shamanes y amistad compartida en medio de la lucha...

La Comisión de Seguridad y Defensa de la Asamblea Nacional Constituyente, presidida por el General Francisco Visconti y otro grupo de militares se oponía a la propuesta de los pueblos y organizaciones indígenas, alegando que iba contra la soberanía del país y ponía en peligro hacia futuro la integridad territorial de la Nación. La Comisión de Defensa basaba sus argumentos en una visita que hizo durante 4 días a la frontera, donde observaron que los indígenas estaban siendo manejados por organizaciones no gubernamentales, transnacionales, misioneros e iglesias. La Comisión de Defensa realizó un informe sobre la "Situación Fronteriza" que más bien se dedicó a tratar de desvirtuar las propuestas indígenas fundamentándose en un documento escrito en portugués del año 1981, atribuido a un supuesto "Consejo Mundial de la Iglesia Cristiana", sin firmas ni sellos, pero que indicaba que se debía promover la independencia de los indígenas en cada uno de los países latinoamericanos.

Por todo esto, la Comisión de Seguridad y Defensa insistía en que no se podía conceder derechos constitucionales a los pueblos

indígenas sobre sus tierras y territorios tradicionales y que no debía usar el término "pueblos indígenas" porque el "pueblo" venezolano era uno sólo y no se podían hacer diferencias. Según la constituyente Angela Sago, miembro de la misma comisión, todos los venezolanos son iguales y no se debían dar derechos especiales a unos, en perjuicio de los otros. La Comisión de Derechos de los Pueblos Indígenas argumentó que todas esas afirmaciones eran falsas, que los indígenas habían conservado y protegido sus territorios por cientos de años y que en las zonas fronterizas quienes realmente ejercían una labor de soberanía frente el abandono por parte del Estado eran los pueblos indígenas. La Comisión de Defensa mantenía su oposición y en esos términos fue muy difícil llegar a acuerdos.

El domingo 31 de octubre de 199 llegó el momento en que tocaba discutir el Capítulo de los Derechos de los Pueblos Indígenas en la plenaria de la Asamblea. Los indígenas vestidos con sus trajes y pinturas tradicionales habían ocupado toda la parte superior del hemiciclo del Senado. La sesión se abrió y el primero en tomar la palabra fue el General Visconti, quien después de leer el supuesto documento de 1981 y señalar que las propuestas de los pueblos indígenas representaban un atentado contra la soberanía del país, pidió que se difiriera la discusión y se nombrara una comisión especial, para discutir el capítulo. Los Constituyentes indígenas y otros aliados respondieron, y trataron de contradecir los argumentos infundados del General Visconti. No hubo consenso, la Asamblea se dividió entre militaristas e indigenistas y se decidió dejar el asunto para discutirlo en una comisión especial creada al efecto. Se generó toda una polémica nacional en torno a los derechos indígenas, donde se pudo ver quienes estaban con los pueblos indígenas y quienes respondiendo a viejos intereses, se negaban a reconocer sus derechos como habitantes primigenios de este país.

La Comisión especial presidida por el Constituyente Aristóbulo Istúriz (Segundo Vice-Presidente de la Asamblea Nacional Constituyente), quien siempre se mantuvo solidario con los pueblos indígenas comenzó su discusión. Intervinieron numerosos constituyentes, especialistas y asesores. Finalmente y después de fuertes negociaciones se llegó a un acuerdo según el cual la Comisión de Defensa aceptaba el término "pueblos indígenas", con la inclusión de un artículo que dejara claro que los indígenas formaban parte del Estado y Pueblo venezolano único, soberano, e indivisible y que el uso del término pueblos indígenas no se refiere a las implicaciones que el término "pueblos" tiene en el derecho internacional. También se sustituyó la palabra "territorio" exigida por los pueblos indígenas por la palabra hábitat.

Finalmente el 03 de noviembre la Plenaria de la Asamblea, aprobó en bloque el Capítulo de Derechos de los Pueblos Indígenas, acto en el cual hubo mucha solidaridad de la mayoría de los constituyentes, no sin antes escuchar los mismos argumentos de parte de otros que mantuvieron la posición de que los pueblos indígenas representaban una amenaza para la soberanía e integridad territorial de la Nación. El Constituyente Jorge Olavarría señaló que este era el mayor error de la Asamblea Constituyente y que ese reconocimiento llevaría a la futura desmembración del país. Una vez aprobado el Capítulo, los pueblos indígenas presentes, en un gesto de respuesta y de verdadera alegría se abrazaron y cantaron el Himno Nacional. Habían transcurrido cinco siglos para que sus derechos originarios fueran reconocidos...

Derechos Reconocidos en la Constitución de la República de Venezuela

PREÁMBULO

El pueblo de Venezuela, en ejercicio de sus poderes creadores e invocando la protección de Dios, el ejemplo histórico de nuestro Libertador Simón Bolívar y el heroísmo y **sacrificio de nuestros antepasados aborígenes** y de los precursores y forjadores de una patria libre y soberana; con el fin supremo de refundar la República para establecer una sociedad democrática, participativa y protagónica, **multiétnica y pluricultural...**

Artículo 9. El idioma oficial es el castellano. Los idiomas indígenas también son de uso oficial para los pueblos indígenas y deben ser respetados en todo el territorio de la República, por constituir patrimonio cultural de la Nación y de la humanidad.

Capítulo VIII Derechos de los Pueblos Indígenas

Artículo 119. El Estado reconocerá la existencia de los pueblos y comunidades indígenas, su organización social, política y económica, sus culturas, usos y costumbres, idiomas y religiones, así como su hábitat y derechos originarios sobre las tierras que ancestral y tradicionalmente ocupan y que son necesarias para desarrollar y garantizar sus formas de vida. Corresponderá al Ejecutivo Nacional, con la participación de los pueblos indígenas, demarcar y garantizar el derecho a la propiedad colectiva de sus tierras, las cuales serán inalienables, imprescriptibles, inembargables e intransferibles de acuerdo a lo establecido en esta Constitución y la ley.

Artículo 120. El aprovechamiento de los recursos naturales en los hábitats indígenas por parte del Estado se hará sin lesionar la integridad cultural, social y económica de los mismos e, igualmente, está sujeto a previa información y consulta a las comunidades indígenas respectivas. Los beneficios de este aprovechamiento por parte de los pueblos indígenas están sujetos a la Constitución y la ley.

Artículo 121. Los pueblos indígenas tienen derecho a mantener y desarrollar su identidad étnica y cultural, cosmovisión, valores, espiritualidad y sus lugares sagrados y de culto. El Estado fomentará la valoración y difusión de las manifestaciones culturales de los pueblos indígenas, loa cuales tienen derecho a una educación propia y a un régimen educativo de carácter intercultural y bilingüe, atendiendo a sus particularidades socioculturales, valores y tradiciones.

Artículo 122. Los pueblos indígenas tienen derecho a una salud integral que considere sus prácticas y culturas. El Estado reconocerá su medicina tradicional y las terapias complementarias, con sujeción a principios bioéticos.

Artículo 123. Los pueblos indígenas tienen derecho a mantener y promover sus propias prácticas económicas basadas en la reciprocidad, la solidaridad y el intercambio, sus actividades productivas tradicionales, su participación en la economía nacional y a definir sus prioridades. Los pueblos indígenas tienen derecho a servicios de formación profesional y a participar en la elaboración, ejecución y gestión de programas específicos de capacitación, servicios de

101 100

asistencia técnica y financiera que fortalezcan sus actividades económicas en el marco del desarrollo local sustentable. El Estado garantizará a los trabajadores y trabajadoras pertenecientes a los pueblos indígenas el goce de los derechos que confiere la legislación laboral.

Artículo 124. Se garantiza y protege la propiedad intelectual colectiva de los conocimientos, tecnologías e innovaciones de los pueblos indígenas. Toda actividad relacionada con los recursos genéticos y los conocimientos asociados a los mismos perseguirán beneficios colectivos. Se prohibe el registro de patentes sobre estos recursos y conocimientos ancestrales.

Artículo 125. Los pueblos indígenas tienen derecho a la participación política. El Estado garantizará la representación indígena en la Asamblea Nacional y en los cuerpos deliberantes de las entidades federales y locales con población indígena, conforme a la ley.

Artículo 126. Los pueblos indígenas, como culturas de raíces ancestrales forman parte de la Nación, del Estado y del pueblo venezolano como único, soberano e indivisible. De conformidad con esta Constitución tienen el deber de salvaguardar la integridad y la soberanía nacional. El término pueblo no podrá interpretarse en esta Constitución en el sentido que se le da en el derecho internacional.

Artículo 156. Es de la competencia del Poder Público Nacional:

32. La legislación en materia de derechos, deberes y garantías constitucionales; la de pueblos indígenas y territorios ocupados por ellos...

Artículo 166. En cada Estado se creará un Consejo de Planificación y Coordinación de Políticas Públicas, presidido por el Gobernador o Gobernadora e integrado por los Alcaldes o Alcaldesas, los directores o directoras estadales de los ministerios y representación de los legisladores elegidos o legisladoras elegidas por el Estado a la Asamblea Nacional, del Consejo Legislativo, de los concejales o concejalas y de las comunidades organizadas, **incluyendo las indígenas donde las hubiere**. El mismo funcionará y se organizará de acuerdo a lo que determine la ley.

Artículo 169. La organización de los Municipios y demás entidades locales se regirá por esta Constitución, por las normas que para desarrollar los principios constitucionales establezcan las leyes orgánicas nacionales, y por las disposiciones legales que en conformidad con aquéllas dicten los Estados. La legislación que se dicte para desarrollar los principios constitucionales relativos a los Municipios y demás entidades locales, establecerá diferentes regímenes para su organización, gobierno y administración, incluso en lo que respecta a la determinación de sus competencias y recursos, atendiendo a las condiciones de población, desarrollo económico, capacidad para generar ingresos fiscales propios, situación geográfica, elementos históricos y culturales y otros factores relevantes. **En particular, dicha legislación establecerá las opciones para la organización del régimen de gobierno y administración local que corresponderá a los Municipios con población indígena.** En todo caso, la organización municipal será democrática y responderá a la naturaleza propia del gobierno local.

Artículo 181. Los ejidos son inalienables e imprescriptibles. Sólo podrán enajenarse previo cumplimiento de las formalidades previstas en las ordenanzas municipales y en los supuestos que las mismas señalen, conforme a esta Constitución y la legislación que se dicte para desarrollar sus principios. Los terrenos situados dentro del área urbana de las poblaciones del Municipio, carentes de dueño o dueña, son ejidos, sin menoscabo de legítimos derechos de terceros, válidamente constituidos. Igualmente, se constituyen en ejidos las tierras baldías ubicadas en el área urbana. **Quedarán exceptuadas las tierras correspondientes a las comunidades y pueblos indígenas.** La ley establecerá la conversión en ejidos de otras tierras públicas.

Artículo 186. La Asamblea Nacional estará integrada por diputados y diputadas elegidos o elegidas en cada entidad federal por votación universal, directa, personalizada y secreta con representación proporcional, según una base poblacional del uno coma uno por ciento de la población total del país. Cada entidad federal elegirá, además tres diputados o diputadas. **Los pueblos indígenas de la República Bolivariana de Venezuela elegirán tres diputados o diputadas de acuerdo con lo establecido en la ley electoral, respetando sus tradiciones y costumbres.** Cada diputado o diputada tendrá un suplente o una suplente, escogido o escogida en el mismo proceso.

Artículo 260. Las autoridades legítimas de los pueblos indígenas podrán aplicar en su hábitat instancias de justicia con base en sus tradiciones ancestrales y que sólo afecten a sus integrantes, según sus propias normas y procedimientos, siempre que no sean contrarios a esta Constitución, a la ley y al orden público. La ley determinará la forma de coordinación de esta jurisdicción especial con el sistema judicial nacional.

Artículo 281. Son atribuciones del Defensor o Defensora del Pueblo:

8. Velar por los derechos de los pueblos indígenas y ejercer las acciones necesarias para su garantía y efectiva protección.

Artículo 327. La atención de las fronteras es prioritaria en el cumplimiento y aplicación de los principios de seguridad de la Nación. A tal efecto, se establece una franja de seguridad de fronteras cuya amplitud, regímenes especiales en lo económico y social, poblamiento y utilización serán regulados por la ley, protegiendo de manera expresa los parques nacionales, **el hábitat de los pueblos indígenas allí asentados** y demás áreas bajo régimen de administración especial.

Notas

1 TORRES Rivas, Edelberto: Consideraciones sobre la Condición Indígena en América Latina y los Derechos Humanos. Instituto Interamericano de Derechos Humanos. Estudios Básicos de Derechos Humanos V, San José de Costa Rica, 1996, p. 403.

2 DANDLER Jorge: Hacia un Orden Jurídico de Diversidad, en: De Amerindia hacia el Tercer Milenio. Instituto Indigenista, UNESCO-INI, México, 1991, p. 59. ❑

INDEPENDENCIA Y SOBERANÍA PARA TE AO MAOHI (POLINESIA FRANCESA)

por Oscar Temaru
Presidente de Tavini Huiraatira no Te Ao Maohi

Nosotros llamamos a nuestro país Te Ao Maohi, aunque el nombre oficial "Polinesia Francesa" explica la historia colonial de nuestra *fenua*, nuestra tierra. El pueblo *maohi* está tratando de asegurar que Francia reconozca la realidad de su política colonial desde su llegada a nuestra tierra. Francia debe también asumir responsabilidad por las consecuencias de treinta años de pruebas nucleares, sobre el medio ambiente, sobre la salud del pueblo y sobre el bienestar social y económico de nuestro país. Por esta razón, la responsabilidad política, moral y financiera de Francia hacia este país permanecerá durante años.

El mayor desafío de nuestro país es crear una economía menos dependiente de las naciones extranjeras y basada más en el desarrollo de sus propios recursos. Necesitamos asegurar el máximo de autosuficiencia y una dependencia solamente de aquellos artículos importados que son realmente necesarios para nuestras necesidades esenciales. El objetivo de Tavini Huiraatira es que el desarrollo económico debe ser sustentable y debe beneficiar a la población local ante todo. Tal desarrollo debe respetar el medio ambiente y debe repartir los beneficios del desarrollo de una manera equitativa, mientras que los costos financieros son compartidos entre todos los grupos sociales.

Finalmente, y esto es especialmente cierto hoy, la lucha del pueblo maohi por la autodeterminación, independencia y soberanía está continuando y debe intensificarse.

Apoyo a la independencia

Es sólo la intimidación de las fuerzas conservadoras procoloniales y el temor por el futuro que ha impedido al pueblo maohi declarase a sí mismo más claramente y espontáneamente en favor de la independencia y soberanía de nuestra tierra.

Ya en 1997, el 35% del electorado votó en favor de las políticas propuestas por el Tavini Huiraatira – un resultado

El autor. Foto: PCRC

electoral más fuerte que el logrado por el FLNKS en Nueva Caledonia. Estas cifras puede sólo aumentar en el futuro a pesar de los enormes recursos utilizados por el partido conservador local, Tahoeraa Huiraatira y su Presidente, Gaston Flosse, quien no ha dudado en usar varios miles de millones de francos del Pacífico del erario público para su propio beneficio personal y electoral.

Este hombre, en efecto el dictador de Polinesia Francesa, está actualmente enfrentando cargos frente a la justicia francesa por corrupción, negocios sospechosos e interferencia en los asuntos públicos. La investigación y juicio de estos casos se ha estado dilatando durante algún tiempo.

Hay algo erróneo cuando la justicia francesa puede mostrar tanta indulgencia con respecto a un individuo que comenzó la vida como un maestro entrenador. Flosse ha usado claramente las instituciones y políticas gubernamentales para enriquecerse a costa del pueblo maohi, de una manera escandalosa, asegurando sus propias ambiciones personales y gusto inmodesto por el poder. ¿Por qué el sistema judicial francés ha sido tan laxo en relación a este individuo, cuando al mismo tiempo ha sido especialmente severo e incluso injusto con respecto a líderes polí-

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ticos que comparten nuestras ideas y objetivos pro-independentistas?

Es esencial informar y hacer conscientes a todas las capas de las sociedad polinesia –ya sean mahoi nacidos localmente o aquellos que han adoptado nuestra tierra- que la independencia para nuestro país es un objetivo noble, tan to deseable como alcanzable. Esta independencia no significa separación de Francia, sino más bien emancipación, liberación y el control de todos los medios para nuestro desarrollo en comunidad, cooperación y fraternidad con Francia y todos los pueblos del mundo.

El hecho que, después de la independencia, algunos países del Pacífico no han sido capaces de resolver todos los desafíos del desarrollo no significa que Te Ao Mahoi no pueda tener éxito. Podemos tomar un camino hacia un estatus de responsabilidad, libertad y apertura como estado soberano, con el imperio de la ley que respete los derechos individuales y colectivos.

Por eso es vital que las naciones y los pueblos del Pacífico muestren su solidaridad con la lucha del pueblo mahoi por la autodeterminación y soberanía. Los *kanak* de Nueva Caledonia, con quienes estamos próximos y con quienes compartimos la misma visión de libertad y responsabilidad, han sido apoyados. Quisiera subrayar solemnemente que tal solidaridad no es interferencia en los asuntos de Francia en Polinesia Francesa.

En el alba del nuevo Milenio, estamos llegando al fin del Decenio de las Naciones Unidas para Erradicación del Colonialismo. Es importante hacer un sumario de la situación de la descolonización y establecer nuestro camino de una manera realista. Nuestra región del mundo ha sido llamada a jugar un importante rol en el nuevo milenio. La palabra "independencia" ha sido, parece, controversial. Pero en la lengua mahoi, las palabras "libertad" e "independencia" tienen una sola traducción, *"Tamara"*.

Historia de resistencia

No es sorprendente que el pueblo mahoi esté reclamando su soberanía. Este derecho fue quebrantado por primera vez en 1842, cuando el almirante francés Dupetit-Thouars impuso un protectorado con la Reina Pomaré IV. Luego en 1880 la soberanía fue quebrantada otra vez con el acto de abdicación de Pomaré V, quien cedió todas sus tierras a Francia bajo condiciones de engaño y presión, que no otorgan ningún honor al país que beneficiaron.

Te Ao Maohi no se convirtió en francesa voluntariamente. La anexión de nuestra tierra vino después de un conflicto armado, presión militar y actos de corrupción. A fines del siglo XIX, Te Ao Maohi se había convertido en una colonia de Francia bajo el nombre de Establecimientos Franceses de Oceanía o *Establissements Français de l'Océanie* (EFO). En 1956, el nombre fue reemplazado por el de *Polynésie Française* – Polinesia Francesa- y el país se convirtió en un territorio de ultramar de Francia.

En 1958 se celebró un referéndum sobre el futuro del país, pero esto no puede ser considerado como un verdadero voto sobre autodeterminación, ya que el voto por el "Sí" en el referéndum estaba solamente basado en las previsiones de la Constitución francesa de 1958.

Hasta ahora, al pueblo maohi nunca ha tenido la oportunidad de expresarse libremente en una votación por su acceso a la plena soberanía internacional e independencia política

Oscar Temaru hablando en la apertura de la 8ª conferencia de la NFIP

de Francia. El pueblo sólo ha mirado a resultados electorales para instituciones locales como guía hacia un sentimiento pro-independentista.

Sin embargo, el sistema electoral para miembros de nuestra Asamblea es profundamente antidemocrático. No respeta los principios de equidad, pues algunos de nuestros miembros del Consejo Territorial son electos con enormes disparidades en el número de votos en su electorado. Este sistema es escandalosamente parcial en favor del partido político que está actualmente en el poder – un partido que está opuesto a la independencia de nuestro país. Hemos solicitado al gobierno francés y a la legislatura modificar este sistema electoral, para permitir un mayor sentido de igualdad y garantizar la democracia en nuestro país. Estos cambios deberían estar vigentes antes de las nuevas elecciones territoriales, en el año 2001.

Durante más de 20 años, Tavini Huiraatira ha elegido un camino pacífico y democrático en nuestra lucha por la independencia. Nosotros creemos que una mayor autonomía es nada más que un paso en el camino hacia la independencia política y la plena soberanía.

Algunos poderes de autonomía fueron recién otorgados a nuestros representantes polinesios electos en 1958, bajo la ley Deferre de 1957, conocida como la *Loi Cadre*. El gran líder Pouvanaa a Oopa fue el primero en ejercer estos poderes como Vicepresidente del Consejo de Ministros. Pouvanaa fue el primer político maohi que volcó sus energías en oposición a la administración colonial francesa, ejerciendo una enorme presión sobre su bienestar físico. Cayó víctima de los partisanos franceses dentro de nuestro propio país. Fue injustamente juzgado y condenado y se convirtió en el prisionero político de Francia de más larga condena debido a su posición pro-independentista. Su partido político *Rassemblement Démocratique de Populations Tahitiennes* (RDPT) fue disuelto por el estado francés y recién después de diez años de exilio Pouvanaa pudo retornar a su tierra nativa para ser reelecto como Consejero Territorial y como senador por la Polinesia Francesa. Su memoria todavía vive en los corazones del pueblo maohi, para el cual el sigue siendo el único *Metua* de Te Ao Maohi.

La era nuclear

Fue el futuro que demostró que las maquinaciones políticas contra Pouvanaa a Oopa fueron fundamentales para los intereses del estado francés. Pouvanaa fue el único político maohi con la autoridad y el carisma para bloquear el plan del General de Gaulle para establecer el centro de pruebas nucleares en tierra maohi, a continuación de la independencia de Argelia y la clausura de los sitios de pruebas nucleares de Francia en el desierto del Sahara.

Con el establecimiento del *Centre d'Expérimentations du Pacifique* (CEP) o Centro de Experimentación del Pacífico, los poderes ejecutivos, que habían sido devueltos a los representantes polinesios, fueron retirados. El Gobernador francés se convirtió en el único poder ejecutivo como Jefe del territorio presidiendo sobre un consejo gubernamental.

Este sistema colonial duró hasta 1977. Durante este período entre 1966-1974, Francia realizó 47 pruebas nucleares atmosféricas en Moruroa y Fangataufa (otras 147 pruebas fueron realizadas después de 1974 en la base de estos atolones de coral, con todos los riesgos que esto implica). En 1977 fue introducido un nuevo estatuto de autonomía. El Alto Comisionado francés siguió como presidente del gobierno mientras que Francis Sanford se convirtió en Vicepresiente. Por primera vez, los poderes del Estado francés fueron escritos en ley, con poderes remanentes que fluían hacia las autoridades locales.

En 1984 fue introducido un nuevo estatuto de autonomía interna, siendo el Presidente del Gobierno electo entre los representantes y ministros electos, cuyas cifras aumentaron de 5 a 10. Al Territorio se le otorgó un símbolo y algunos de los atributos del poder.

En 1990, el Presidente Territorial Alexandre Leontieff modificó este estatuto de autonomía interna, que fue consagrado como ley en la Constitución francesa de 1992. El ex Presidente Leontieff, desde 1994, ha levantado el ideal de soberanía para nuestra tierra y se unió a nuestras filas en 1995. El estatuto de autonomía fue revisado otra vez por el Presidente Flosse en 1996, pero la Corte Constitucional francesa denegó algunos de sus cambios.

Después de 30 años de pruebas nucleares y estatutos de autonomía, los votantes de nuestro país se han convencido más y más de la justicia de nuestra causa. En las elecciones celebradas después del fin de las pruebas nucleares, Tavini Huitaaatira aumentó su representación en la Asamblea Territorial de 41 escaños, de 4 escaños en 1991 a 11 en 1996. En los años entre las elecciones para la Asamblea Nacional francesa celebradas en 1993 y 1997, Tavini aumentó sus votos en un 77% de 15.317 a 27.097 votos, sumando un 35% del electorado.

En estos años, hemos demostrado que estos estatutos de autonomía son incapaces de resolver los problemas claves de hoy. Como otras naciones del Pacífico, enfrentamos problemas como: inmigración; la venta de nuestra tierra; control de los recursos de nuestra zona marítima; y la falta de reconocimiento a nuestra lengua maohi (aunque *reo Maohi* se supone ser la lengua oficial).¿Qué se puede hacer para contrarrestar la falta de respeto demostrada por Francia hacia nuestro poderes locales cuando firma acuerdos internacionales en nuestro nombre? Sólo la plena y efectiva soberanía de Te Ao Maohi puede corregir esto.

Hoy, la política de Tahití se ha polarizado con Tavini Huiraatira como la principal oposición política al partido gobernante Tahoeraa Huiraatira. La escena política local está dominado por el enfrentamiento de ideas entre aquellos que apoyan la autonomía y aquellos que apoyan la independencia.

El actual Presidente de nuestro gobierno, Gaston Flosse es el representante local del *Rassemblement Pour La République* (RPR) – el partido conservador del Presidente francés Jacques Chirac. Flosse ha decidido enfrentarse contra la creciente marea independentista con más modificaciones del estatuto de autonomía de 1996. Actualmente está negociando con el gobierno francés para cambiar la Constitución francesa, si-

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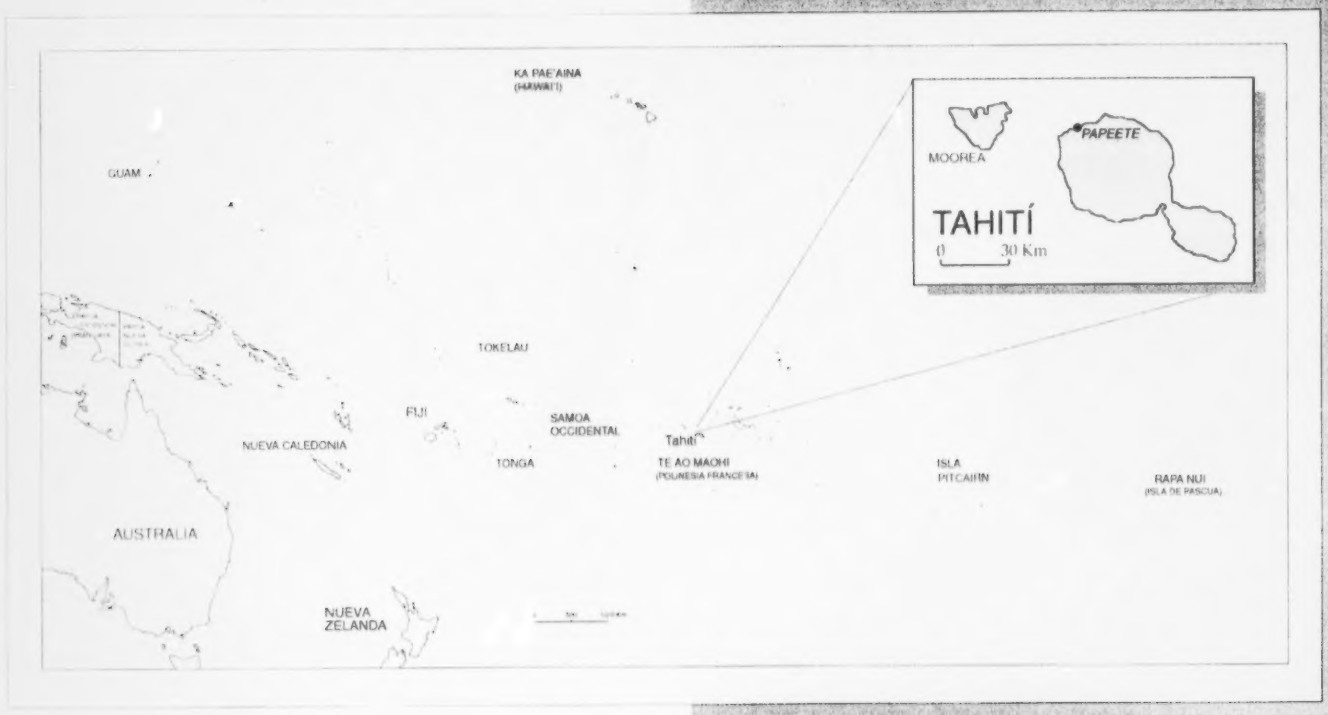

guiendo los cambio aparejados por el Acuerdo de Noumea en Nueva Caledonia. Tales cambios de la ley francesa que gobierna a nuestro país convertirían a Polinesia en un "país de ultramar" de Francia, con el derecho de promulgar leyes en determinadas áreas. Se propone crear una ciudadanía polinesia, aunque esta garantía será una ciudadanía limitada, que ni siquiera garantiza el derecho al voto en las elecciones territoriales.

Tavini Huiraatira ha decidido participar en las negociaciones sobre estos estatutos, no para mejorar el paquete de autonomía sino para subrayar nuestro punto de vista partidario en favor de la soberanía y evitar otorgar a Gaston Flosse y sus simpatizantes el control total de los recursos e instituciones públicas. Creemos que cualquier estatuto de autonomía debe preparar y pavimentar el camino para la independencia política de nuestro país, que debe tener su propia Constitución y votar todas sus leyes. En los claros términos de un representante del gobierno francés: "la autonomía es sólo un aprendizaje de la independencia".

En vez de cortar la base del movimiento independentista, este nuevo proceso de reforma está fortaleciendo la convicción del pueblo maohi de que la independencia es inevitable. La independencia no significa romper nuestros lazos con Francia. Por el contrario, significa, asociación, fraternidad y cooperación con Francia, así como también con Europa, el Foro del Pacífico Sur y los países de todo el mundo. Procuramos extender nuestros vínculos especialmente en la región del Pacífico.

En Nueva Caledonia, Francia ha reconocido el hecho del colonialismo. Debe hacer lo mismo con la Polinesia. Como

Playa, Moorea

Moorea, vista desde Tahiti

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Nueva Caledonia, nuestra país debe ser enlistado otra vez en la lista de la ONU de territorios no autónomos. El Foro del Pacífico Sur tiene el poder de ayudar a lograr este objetivo. ¿Se nos debe recordar que las Naciones Unidas apoyaron la descolonización en sus resoluciones 1514 del 14 de diciembre de 1960 y 1541 del 15 de diciembre de 1960? A través de la resolución 4347 del 8 de noviembre de 1988, la ONU también declaró los años 1990-2000 como el Decenio de la ONU para la Erradicación del Colonialismo.

La independencia política debe ser acompañada por ciertas medidas de independencia económica, incluso si reconocemos que ninguna economía del mundo es verdaderamente independiente. Lo que aspiramos es "independencia con interdependencia", un concepto que es relevante para la era de la globalización y la necesidad de diálogo político a nivel de estado a estado.

La idea de independencia económica para nuestro país no es un sueño. Desde ahora hasta el año 2005, Polinesia cumplirá con el 50% de su deuda externa – eso quiere decir que nuestros recursos (turismo, exportaciones, etc.) financiarán el 50% de las necesidades de importación del país, etc. Francia también tiene la responsabilidad de realizar una compensación financiera durante muchos años para cumplir con sus responsabilidades con el pueblos maohi, su medio ambiente y su sociedad y economía. Este proceso ya ha comenzado con el marco de leyes con las cuales Francia ha firmado un contrato de desarrollo y establecido un fondo de conversión para la era posnuclear; un fondo orientado a restablecer el equilibrio económico mediante el desarrollo y la mejora de los recursos de nuestro país.

Con independencia, nuestro balance del intercambio exterior mejorará. Habrá una mejor utilización de nuestros poderes soberanos, especialmente sobre los controles fiscales que permitirán la inversión productiva. Junto con Francia y otros países desarrollará nuestros recursos oceánicos de una Zona Económica Exclusiva tan grande como la superficie de Europa occidental. También promoveremos nuestra agricultura local para reducir nuestra dependencia de productos del exterior.

El turismo seguirá siendo una prioridad en nuestro desarrollo económico, ya que tiene efectos de seguimiento en otros sectores como la agricultura, pesca, perlicultura, artesanías, transporte y comercio. Nuestro país seguirá siendo uno de los destinos turísticos más apreciados del mundo. Pero para lograr este objetivo, la lucha para proteger el medio ambiente y controlar la contaminación sigue siendo una tarea central. El turismo no debe ser una fuente de contaminación para nuestro pueblo y cultura, mediante casinos, prostitución y drogas. Tavini apoya un turismo limpio que respete tanto al pueblo como al medio ambiente. El turismo genera una serie de trabajos y es una fuente de divisas de moneda extranjera que actualmente suma unos 40 mil millones de francos del Pacífico.

Mediante la duplicación de la cantidad de turistas a la cifra de 500-600.000 en el futuro (comparado con 6 millones anualmente en Hawaii y un millón en Guam) el aumento de moneda extranjera y el desarrollo de actividades relacionadas permitirá reemplazar los flujos financieros del gobierno francés a Polinesia. Es un objetivo que puede ser realizado en los próximos 10-15 años.

Polinesia también puede depositar muchas esperanzas en la explotación de nuestros recursos oceánicos. Por sobre todo, la producción de perlas negras es un importante recurso que es único de la Polinesia Francesa, aunque otros países del Pacífico tratan de desarrollar esa industria. Hay otros recursos oceánicos como el atún en nuestra zona económica, y tenemos la capacidad con nuestra propia flota atunera de explotar estos recursos nosotros mismos, deteniendo los acuerdos pesqueros ya firmados con países como Japón y Corea del Sur. También hay recursos minerales en el subsuelo marino, metales estratégicamente importantes como el cobalto. Nuevas fuentes de energía –solar, olas e hidroeléctrica- contribuirán además a esta política de independencia económica.

Polinesia posee realmente un capital de bienes económicos reales, junto con una joven población que es diligente con la capacitación en computación y conocimiento del inglés, el primer idioma internacional (sin olvidar, sin embargo, al *reo Maohi*, la lengua maohi que es la base de nuestra cultura e identidad). El francés permanecerá aquí como la primera lengua requerida para la ampliación del conocimiento y se espera que Francia –con su política de *francophonie*- continuará financiando nuestro sistema educativo a través de tratados de cooperación para el desarrollo que reemplacen la actual financiación provista por convenio.

Nuestro país debe también controlar la fuga de capitales a través de nuestros bancos locales. Durante muchos años, los bancos locales exportan más de 60 mil millones de francos del Pacífico por año. ¡Ubicando estos fondos en el mercado financiero francés crean trabajo en Francia en vez de aquí!

Nuestro país también debe luchar para combatir las falsas necesidades creadas por la modernización, que están exacerbadas por la publicidad y el fácil acceso al crédito. Como la vivienda sigue siendo una necesidad vital a satisfacer, no se puede más que deplorar la importancia dada al parque automotriz y a los caminos, la fuente de los problemas de tráfico que Tahití conoce tan bien, debido a la falta de planificación del gobierno local. Sin rechazar la modernidad y sus beneficios, la sociedad polinesia debe evolucionar hacia un estilo de vida más limpio, más auténtico, más próximo a nuestra cultura y a la naturaleza.

Los valores de la solidaridad comunitaria junto con nuestros valores cristianos siguen siendo el cemento que une a la sociedad maohi en el alba del nuevo milenio a pesar de la búsqueda desaforada de la ganancia en esta economía capitalista. Los pueblos del Pacífico deben recrear sus lazos de amistad, solidaridad y emancipación.

Oscar Temaru *es la principal figura política que lucha por la independencia de Te Ao Maohi (Polinesia Francesa). Elegido en 1983 como Alcalde de Faa'a –el mayor municipio del país de 200.000 personas- Temaru también ejerce como miembro del Congreso Territorial. Es Presidente de Tavini Huiraatira no Te Ao Maohi, el mayor partido político que apoya la independencia de Francia.* ❑

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Mujeres del Pacífico pertenecientes a la NFPC, demostrando contra las armas atómicas. Vanuatu, 1983

LA NUEVA CARRERA ARMAMENTISTA EN ASIA Y EL PACÍFICO

By Corazon Fabros

Como siempre, es a través de una unión de las fuerzas de paz y de aquellos comprometidos con las luchas independentistas, que se da esperanzas a las futuras generaciones y garantías de un futuro mejor, más seguro. Nuestra lucha es ardua y difícil debido al enorme y poderoso enemigo que nos enfrenta. Pero la historia ha demostrado una y otra vez que no es sólo el tamaño o el poder del agresor que determina el resultado de la lucha. Es la determinación de un pueblo en lucha que en última instancia hace la diferencia, tal como lo hemos atestiguado en las luchas por la independencia de los pueblos de Vanuatu y ahora los pueblos de Timor Oriental (o Timor Lorosae, tal como se lo debería llamar adecuadamente). Estas son inspiraciones que llevamos en nuestros corazones mientras que construimos nuestro trabajo y ansiamos la independencia para nuestros hermanos y hermanas aquí en Te Ao Maohi, Papua Occidental, Bougainville y otras naciones isleñas del Pacífico todavía colonizadas.

El poder de las armas

Cuando hablamos de luchas por la autodeterminación y la independencia, lo que se destaca es el hecho de que nuestros colonizadores han ocupado nuestras tierras y han subyugado a nuestro pueblo mediante el poder de las armas. El uso del ejército y de la violencia han sido un denominador común, ya sea que miremos a los siglos de historia o a los tiempos contemporáneos.

Este año, 1999, marca 100 años de la intervención de los EE.UU. en los asuntos asiáticos. La era comenzó el 4 de febrero de 1899 cuando las tropas de EE.UU. pisaron suelo Filipino, socavaron la libertad y soberanía que nuestros antepasados ganaron después de 300 años de colonización española, llevaron adelante una guerra de conquista y colonizaron de las Filipinas para ganar un mercado y una plaza fuerte en Asia. La sangrienta colonización de los EE.UU. de las Filipinas en 1899 causó la muerte de más de 650.000 filipinos o el 20% de nuestra población en ese momento. La mayoría de ellos eran civiles. Los historiadores han descrito la Guerra

PRESENCIA MILITAR NORTEAMERICANA EN LA REGIÓN DEL ASIA ORIENTAL Y EL PACÍFICO

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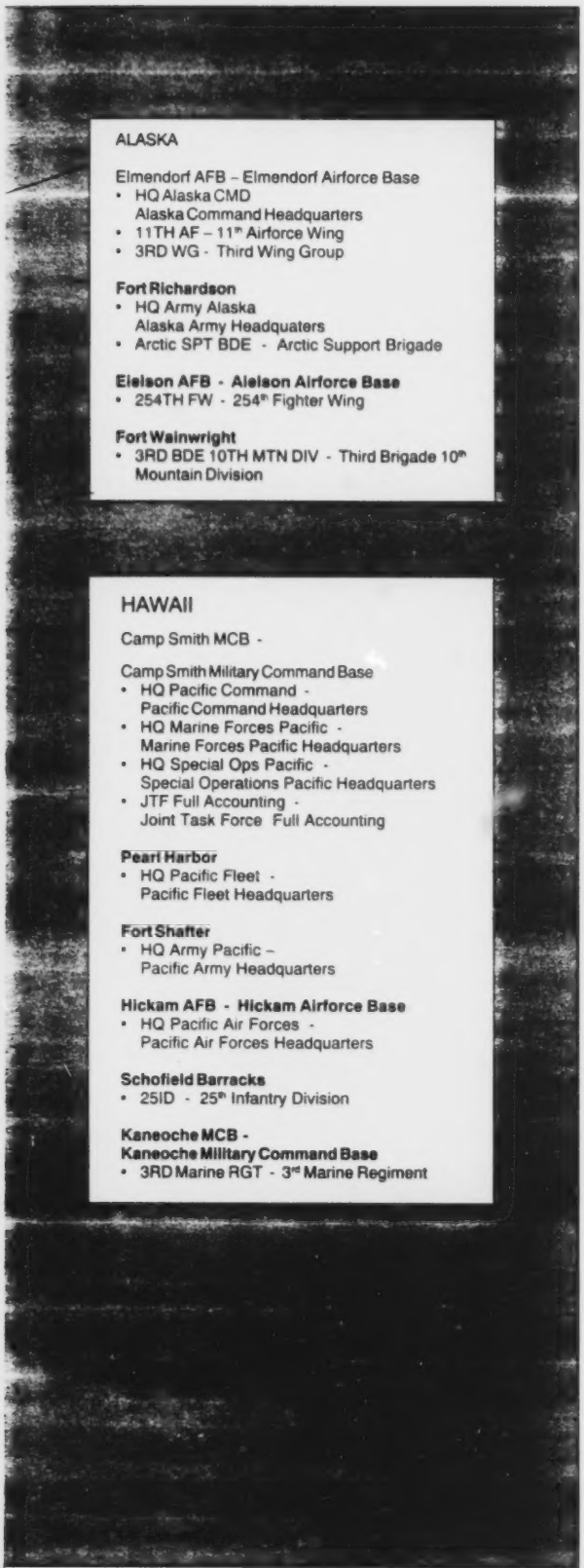

Filipino-Americana como el "primer Vietnam de los EE.UU. en Asia".

En 1991, el pueblo filipino puso fin a la presencia del ejército de los EE.UU. en las Filipinas mediante el histórico rechazo del Acuerdo de las Bases Militares República de las Filipinas-EE.UU. Es desafortunado que este año 1999 también marca el retorno de las fuerzas de los EE.UU. y de los ejercicios militares en suelo filipino después de la ratificación del Senado filipino del Acuerdo de las Fuerzas Visitantes RF-EE.UU. (VFA). Este acontecimiento restaurará el papel que las Filipinas jugaron cuando teníamos bases de los EE.UU. en nuestro país – como un cómplice de la intervención y agresión de las fuerzas de los EE.UU. en la región Asia-Pacífico, el Oriente Medio o cualquier parte del mundo.

Existen tendencias y desarrollos que apoyan la aserción de que existe una nueva carrera armamentista en Asia y el Pacífico. Entre algunos de los elementos se encuentran:

- La presencia del ejército de los EE.UU. en la región Asia-Pacífico
- La alianza EE.UU.-Japón y las Directivas de Seguridad de 1991
- El Acuerdo RF-EE.UU. de las Fuerzas Visitantes, 1999
- La ayuda externa, el comercio de armas y la estructuración militar y paramilitar
- Las políticas de seguridad y defensa de los EE.UU.
- Los ejercicios de guerra y los ejercicios militares conjuntos en la región de Asia y el Pacífico

La presencia militar de los EE.UU. en la región Asia-Pacífico

Las principales bases militares que cubren la región Asia-Pacífico están ubicadas en Alaska, Hawai'i, Japón, Corea, Guam, Saipan, Singapur y Diego García.

Otros países asiáticos no tienen bases pero están cubiertos por los Acuerdos de Acceso y Servicios Cruzados (ACSA), Acuerdos de Estatus de Fuerzas (SOFA) o Acuerdos de Fuerzas Visitantes (VFA), como en el caso de las Filipinas. Estos acuerdos proveen acuerdos de suministros y acceso marinos/aéreos sin impedimentos a aeropuertos y puertos. La presencia de los Estados Unidos – más de 100.000 tropas- con sus bases, acuerdos y operaciones es un bloque de impedimento para los esfuerzos de autodeterminación de las comunidades, socavando los esfuerzos para crear un sistema regional de seguridad no-militarizado.

La alianza militar EE.UU.-Japón y las directivas de seguridad de 1999

Hoy, el pilar fundamental de la presencia del ejército de los EE.UU. en Asia y el Pacífico es todavía la alianza militar EE.UU.-Japón.

Las revisadas Directivas de Cooperación para la Defensa Mutua Japón-EE.UU., firmadas en 1999, intensifican la naturaleza y alcance de las operaciones militares EE.UU.-Japón, causando malestar entre los vecinos de Japón. Estas directivas permitirán a las fuerzas japonesas brindar una retaguardia más fuerte para apoyar a las fuerzas de los EE.UU. en crisis que amenacen directamente la seguridad del país. Los barcos navales de los EE.UU. tendrán permiso para usar puertos civiles japoneses y los barcos

japoneses podrán realizar operaciones de limpieza de minas. Mejora la cooperación militar EE.UU.-Japón suministrando combustible, alimentos, servicios médicos y transporte y permite a Japón enviar barcos de guerra a rescatar a ciudadanos japoneses en el extranjero.

En Okinawa, las unidades Expedicionarias de la Marina de los EE.UU. forman el núcleo de las fuerzas de intervención de hoy en la región Asia-Pacífico. En esta región, el poder del ejército de los EE.UU. es actualmente la mayor fuerza militar de ultramar de un poder militar extranjero en tierra y mar. Como se jactó el General John Lorber de la Fuerza Aérea de los EE.UU.:

"Nosotros, los EE.UU., somos una nación del Pacífico cuyo comando se extiende desde la costa oeste de los Estados Unidos a la costa este de África e incluye ambos extremos polares".

Los Estados Unidos apuntan a mantener y expandir los tratados bilaterales militares y de seguridad existentes, el núcleo de los cuales es la estrategia de inter-operabilidad, comando y equipamiento y donde el comando militar de los EE.UU. es el *"primero entre los iguales"*. El corolario de esto es la doctrina de los EE.UU. de un *"acceso abierto y sin impedimentos"* a las aguas de la región Asia-Pacífico y el Océano Índico. Hoy, el ejército de los EE.UU. está basado en seis tratados de seguridad en la región con Japón (1951), la República de Corea (1953), Australia (1951), las Filipinas (1951), Tailandia (1954) y los Convenios de Libre Asociación con las Islas Marshall, los Estados Federados de Micronesia y Palau (1986).

El Acuerdo RF-EE.UU. de Fuerzas Visitantes de 1999

Como previos acuerdos militares entre el gobierno de las Filipinas y los EE.UU., el VFA y sus onerosas previsiones muestra una extrema falta de respeto por la integridad territorial filipina, el medio ambiente y la dignidad del pueblo filipino. El VFA reintroduce a las tropas militares de los EE.UU. en la República de las Filipinas, otorgándoles derechos de aterrizaje y de puertos y privilegios extra-territoriales. Otorga privilegios especiales a las fuerzas de los EE.UU. como exención de impuestos, tasas, cargos, regulaciones de visas y jurisdicción judicial sobre crímenes que puedan ser cometidos en el territorio filipino. Los EE.UU. consideraron 22 puertos comerciales como puntos de acceso militar, abriendo a todo el país a una presencia militar de los EE.UU. sin precedentes.

Más ominosamente, el VFA no requiere que el ejército de los EE.UU. declare si los navíos que entran a territorio filipino tienen a bordo armas nucleares. Esto permite el transporte de armas nucleares al país y la posibilidad de una explosión nuclear. También abre al país a una posible amenaza externa de parte de enemigos de los EE.UU.

El VFA constituye ahora una seria amenaza para la seguridad y el bienestar de nuestro pueblo. El aparato militar global de los EE.UU. que gasta ahora US$264 mil millones anualmente –incluyendo sus 15.000 cabezas de misiles nucleares y una nueva generación de armas nucleares- es ahora un objetivo principal y favorito de los grupos islámicos que desafían los intereses imperiales de los EE.UU. en el Medio Oriente. Ellos podrían golpear en cualquier lugar contra los intereses de los EE.UU., especialmente contra las unidades militares de los EE.UU. enviadas en contra de ellos. Una presencia militar estadounidense sin fronteras en el país atrae una represalia sin fronteras y ataques de los enemigos de los EE.UU.

Otras "actividades" otorgadas a las fuerzas de los EE.UU. por el VFA tienen graves implicaciones tanto para nuestra seguridad pública como privada. La Agencia Nacional de Seguridad de los EE.UU. (NSA) ha desarrollado un sistema mundial de vigilancia llamado ECHELLON, el cual es una red electrónica poderosa que intercepta y monitorea todas las señales telefónicas, de fax, e-mail y de modem. El informe del Parlamento Europeo de 1998 titulado *"Una evaluación de tecnologías de control político"* ha listado serias preocupaciones y ha recomendado una exhaustiva investigación de las operaciones EE.UU.-NSA, que utilizan facilidades comunicativas militares en otros países anfitriones. El sistema NSA ECHELLON otorga un espantoso potencial de abuso contra objetivos civiles y gobiernos de todo el mundo, incluso contra los aliados de los EE.UU.

En el VFA, la definición del personal militar de los EE.UU. incluye no sólo a los soldados y marinos americanos sino también un personal civil de 44 personas que están empleados por las fuerzas armadas de los EE.UU. Estos "civiles" de los EE.UU. incluyen técnicos y especialistas de la Agencia de Seguridad Nacional, los cuales durante la época de las bases de los EE.UU. operaban instalaciones comunicativas de espionaje en Clark, Subic y Camp John Hay. Todas las comunicaciones privadas de los ciudadanos son interceptadas y monitoreadas por el sistema ECHELLON, que es una de las redes de intercepción de las comunicaciones más sofisticadas del mundo. Según el libro de Nicky Hager de 1996 sobre la red de espionaje internacional *"Poder Secreto"*, los EE.UU. no sólo han estado usando el sistema NSA ECHELLON para recoger informes de inteligencia políticos, militares y económicos contra sus enemigos.

Según Hager,

"existe una extensa intercepción de los países de ASEAN incluyendo las Filipinas ... en la cual las reuniones de ASEAN reciben una atención especial con la intercepción de comunicaciones públicas y privadas de estos países para revelar los tópicos discutidos, las posiciones tomadas y las políticas consideradas".

A través del VFA, los EE.UU. planean restaurar plenamente su sistema ECHELLON en las Filipinas, el cual fue interrumpido por la retirada de las instalaciones y bases militares de los EE.UU. ECHELLON funciona como una intercepción electrónica y una operación de procesamiento dirigida hacia las comunicaciones civiles, incluyendo las de los gobiernos.

Estamos preocupados por la destrucción ambiental que será infligida una vez más por los ejercicios militares de los EE.UU. y las visitas a los puertos. La Prefectura de Okinawa ha documentado contaminación y daño ambiental en sus

costas debidas a las visitas portuarias y ejercicios militares de los EE.UU. Algunos ejemplos:

- Los ejercicios de artillería han destruido sus bosques y montañas y han contaminado tierras con TNT, RBX, DNT y munición y misiles sin explotar;
- Contaminación de las aguas de Okinawa por asbesto, plomo y PBC;
- Erosión roja del suelo como resultado de la maniobras militares regulares;
- Cobalto 60 emitido de los puertos militares,
- Contaminación de PBC en el suministro civil de agua de Okinawa,
- Se han descubierto ranas mutantes en el área costera de Gushkawa City en los alrededores de las instalaciones del ejército de los EE.UU.

Con el VFA, los filipinos podrían estar otra vez en el extremo receptivo de las violaciones de derechos humanos cometidas por las fuerzas armadas de los EE.UU. Los recolectores de basura podrían ser confundidos otra vez con jabalíes cuando las balas desgarran su carne. Las mujeres pobres y los niños podrían ser forzados a dedicarse a la prostitución debido a las extremas dificultades económicas. La presencia de los americanos podría también resultar en un florecer de burdeles, clubes nocturnos y otros "centros de entretenimiento" para su placer ilimitado.

Ayuda externa, comercio de armas y estructuración militar y paramilitar

Un examen de la actividad de ayuda externa de los EE.UU. de $13,6 mil millones para el Año Fiscal 1997 revela que casi la mitad de la ayuda es asistencia militar o de seguridad. Cada año se gasta miles de millones de dólares en la activa militarización del mundo a través de otorgamientos directos de equipo militar o financiamiento de las compras de equipo. No es necesario subrayar que esta ayuda viene como el caramelo de la torta de los acuerdos militares y defensa que son forjados con los gobiernos de la región de Asia y el Pacífico. Estos arreglos son frecuentemente realizados bajo un velo de secrecía, forjados por negociadores de la defensa corruptos e inescrupulosos. Los Estados Unidos invierten más en militarización que en ayuda para el desarrollo, en contra de sus objetivos anunciados de política exterior como desarrollo sustentable, protección de la salud humana y promoción del crecimiento económico.

De acuerdo a un estudio de julio de 1998 sobre ayuda externa y comercio de armas realizado por Joan Whelan del Consejo para un Mundo Habitable, los Estados Unidos han aprobado cientos de millones de dólares de licencias comerciales para ventas de armas y producción conjunta entre los fabricantes de defensa y los gobiernos involucrados, o recién emergentes, de guerras civiles u otras formas de conflicto. Los Estados Unidos detentan una parte desproporcionadamente grande del mercado mundial de armas con el 49% de todas las ventas de armas. Estas transferencias pueden aumentar la amenaza de guerra, ayudar a desatar la carrera armamentista y representan enormes costos que al final limitan el desarrollo económico y social.

La ayuda a Asia y el Pacífico está dirigida fundamentalmente a alguna de las naciones más pobres del mundo y a algunas de las más populosas – en programas que van de $30 a $50 millones de dólares. La gran mayoría de los programas de asistencia militar consisten de equipamiento militar. Las naciones de Asia oriental y suroriental son consistentemente unos de los mejores clientes para la exportación de armas de los EE.UU. en los cinco años que van de 1993 a 1997, ocho naciones de Asia, (incluyendo a Indonesia, Tailandia, Corea del Sur, Malasia, Taiwan, Japón, Singapur y las Filipinas) compraron más de $18,5 mil millones de dólares de equipamiento militar a los EE.UU. a través del Programa Extranjero de Ventas Militares. Las Filipinas han solicitado a una serie de productores de armas cotizar la producción de jets de combate y barcos patrulleros que serán parte de un plan de quince años de $8,5 mil millones de dólares para actualizar su capacidad militar.

La región Asia-Pacífico realiza el 48% de las compras de armas a nivel mundial. El colapso económico de 1997-8 está socavando la seguridad humana en muchos países asiáticos, amenazando la estabilidad de toda la región. En algunos países, ejércitos recientemente modernizados se han volcado contra las poblaciones civiles para asegurar la "seguridad interna". La era del colonialismo tarda en morir, tal como lo demuestran las luchas por la autodeterminación y la independencia de Timor Lorosae, Guam y Nueva Caledonia. Las potencias mayores son suministradoras de equipo militar y programas de entrenamiento a las islas del Pacífico donde ha habido un crecimiento de los ejércitos y los paramilitares.

En el New York Times del 7 de septiembre de 1999, hay un artículo sobre los submarinos americanos que patrullan el Atlántico llevando pequeñas cabezas de armas nucleares. Estas son las W-88 que es una de las armas más mortíferas del arsenal de los EE.UU. La Marina de los EE.UU. está agregando estas armas a su flota del Pacífico, así que en los próximos pocos años la WW-88 estará probablemente apuntada hacia China.

También necesitamos examinar el Acuerdo Multilateral sobre Inversiones (MAI) que está diseñado para liberalizar las inversiones, pero sus poderosas previsiones limitan la capacidad de los gobiernos de intervenir en la economía. Tales acuerdos corporativos plantean una seria amenaza a las medidas para promover la paz y la seguridad. El MAI tendrá un efecto dual de amenaza de los programas sociales mientras que protege y aumenta los gastos militares y las compras de armas. El propósito del MAI es remover virtualmente todas las barreras para el libre flujo de las inversiones de los inversores (es decir, corporaciones) entre las partes contratantes (es decir, países signatarios), otorgando así una protección especial al gasto militar y poniendo restricciones a la capacidad de los gobiernos de controlar el comercio de armas.

También deberíamos examinar las exhibiciones del comercio de armas que son patrocinadas por la industria armamentista con la cooperación de los gobiernos. Tales exhibiciones

son un evento anual en las Filipinas y se celebran regularmente en Australia. Existe una próxima exhibición internacional aerospacial en Dubai en noviembre de 1999. Está concebida para buscar más mercados en la región de Asia y el Pacífico a través de la demostración del uso y la efectividad de los sistemas de armamentos.

Política de seguridad y defensa de los EE.UU

La presencia estratégica de los EE.UU. está constituida por 100.000 efectivos desplegados en la región. De acuerdo con el Informe Cuadrienal de la Revista del Departamento de Defensa de los EE.UU. de 1997, la política de seguridad y defensa de los EE.UU. está ahora interrelacionada con la globalización económica como *"protección de las vías marítimas de comercio"* y *"asegurar el acceso sin impedimentos a mercados claves, fuentes de energía y recursos estratégicos"*. La literatura del Pentágono ahora trata la jurisdicción operacional del Comando del Pacífico como una "autopista de comercio, que es tan vital para la seguridad nacional de los EE.UU.". Es en este contexto que los reclamos territoriales en el Spratlys en el Mar del Sur de la China por cinco países asiáticos puede ser considerado como un potencial punto de peligro en la región. Incidentalmente, es esta tensión percibida como creada por el agresivo reclamo territorial de China en el Spratlys que ha brindado justificación para restaurar la presencia militar en las Filipinas a través del Acuerdo de Fuerzas Visitantes.

Un trabajo presentado por el Centro para la Información sobre Defensa al Grupo de Estudio de Seguridad Nacional de los EE.UU. en marzo de 1999, establece tendencias en desarrollo que afectan la seguridad:

- Muchas naciones continuarán moviéndose hacia alguna forma de gobierno democrático y mercados abiertos.
- Las minorías nacionales dentro de los estados creados durante la época colonial demandarán una parte más equitativa del poder económico y político; o, tomarán medidas para obtener la independencia.
- Los Estados Unidos encontrarán una mayor resistencia al estacionamiento permanente e implementación de despliegues de fuerzas de los EE.UU. en ultramar.
- Los adversarios potenciales se apartarán de los clásicos enfrentamiento fuerza contra fuerza con los EE.UU. y sus aliados.
- La recolección, almacenamiento de datos y su distribución basados en la computación aumentarán y una mayor familiaridad con las técnicas de computación aumentará la posibilidad de la guerra cibernética y la necesidad de defensa cibernética.
- El concepto del siglo XIX y XX de soberanía nacional absoluta será desafiando por el creciente poder inherente de las organizaciones financieras y comerciales transnacionales no-estatales, el incremento de tratados que regulen o adjudiquen la distribución de recursos y otros acuerdos que incorporen normas y estándares internacionales; p. ej., derechos humanos y políticos.

El uso del espacio cibernético en el siglo XXI abre nuevas áreas de interés. El *Arms Sales Monitor* informa en mayo de 1999 que:

> *"Un aspecto de la Iniciativa de Reforma de Defensa del Pentágono es el Supermercado Electrónico (DOD) del Departamento de Defensa, un sistema basado en internet que provee "compras de una sola parada" para el luchador de la guerra DOD para que ubique rápidamente y fácilmente y pueda ordenar artículos de catálogos electrónicos comerciales. Esperando proveer lo mejor en el servicio moderno al cliente a sus clientes extranjeros de armas, el DOD está planeando un programa piloto para integrar a las Ventas Extranjeras Militares en el e-mail para junio de 1999".*

Eso es virtualmente ventas de armas por Internet.

Juegos de guerra y ejercicios militares conjuntos en la región de Asia y el Pacífico

El objetivo fundamental del entrenamiento y ejercicios militares de los EE.UU. es familiarizar a las fuerzas militares extranjeras con el uso de las armas y los equipos pesados militares de los EE.UU. El entrenamiento conjunto es importante para crear un clima de apoyo para los objetivos de la política exterior de los EE.UU. y establecer contactos personales e influencias entre el ejército de los EE.UU. y los oficiales de defensa extranjeros. Los ejercicios militares de los EE.UU. son parte fundamental de la expansión del Pentágono y del poder militar de los EE.UU. en todo el mundo y optimar la capacidad de intervención. Las instituciones de entrenamiento del Ejército de los EE.UU. para los soldados extranjeros como la Escuela de las Américas ha entrenado a miles de soldados de América Latina, Asia y África. Entre aquellos entrenados se encontraban ex dictadores militares y oficiales responsables por la muerte de miles de personas. Esto ha alineado a los EE.UU. con las fuerzas de la tiranía y de la opresión. Los programas de entrenamiento militar de los EE.UU. han instruido y adoctrinado a decenas de miles de asesinos gubernamentales, escuadrones de la muerte, golpistas y agentes de los EE.UU.

En 1996, el Departamento de Defensa de los EE.UU. admitió finalmente que los manuales de entrenamiento usados en sus escuelas militares incluían instrucciones sobre tortura, golpes, asesinatos, extorsión y reclutamiento de informantes y operaciones de contrainsurgencia.

Los Estados Unidos han planeado al menos ocho ejercicios militares conjuntos en las Filipinas antes del fin de 1999 como resultado de la ratificación del VFA. Aquí en el Pacífico, siete países isleños del Pacífico han tomado parte en los juegos de guerra navales Paradise '99 en junio de 1999. Alrededor de un personal naval de 300 efectivos, 12 navíos y barcos patrulleros tomaron parte del ejercicio de 12 días que tuvo lugar en el Mar Salomón. Los juegos de guerra incluyeron a fuerzas de Australia, Papua Nueva Guinea, los Estados Federados de Micronesia, Fiji, Nueva Zelanda, Palau y las Islas Salomón. El objetivo de Paradise '99 es compartir tácticas, capacitación y equipamiento.

Soldados de Fiji viajan a Nueva Caledonia todos los años para realizar ejercicios militares y capacitación (incluyendo entrenamiento de comandos) en cooperación con las fuerzas armadas francesas. A cambio, los soldados franceses son enviados como adjuntos en la Fuerza Militar de Fiji. Para marcar el Día de la Bastilla en 1998, un barco de guerra francés de Nueva Caledonia llegó a Suva para descargar camiones, repuestos y suministros militares como ayuda militar para la Fuerzas Militares de Fiji.

Otros países han comenzado programas similares. Tropas francesas de Nueva Caledonia se juntaron con Marinos de los EE.UU. y los Servicios de Defensa de Tonga para juegos de guerra en 1998. Tonga realiza ahora ejercicios militares anuales en Francia. Entrenadores de la policía francesa también ayudaron a establecer la fuerza de intervención de elite de la policía de Vanuatu, con entrenamiento en armas de fuego, combate a corta distancia y operaciones especiales. Miembros de la fuerza paramilitar de policía de Vanuato se sumaron a los ejercicios de Nueva Caledonia financiados por Francia. Los programas de ayuda franceses han sido formalmente extendidos para cubrir ocho países del Pacífico Sur – Papua Nueva Guinea, Fiji, Kiribati, Tuvalu, Tonga, Samoa, Vanuatu y las Islas Salomón. Esto abre el camino para el suministro de equipos militares, asistencia militar a los ejércitos locales y entrenamiento de personal militar de ultramar en las escuelas militares francesas.

Las fuerzas armadas de Francia, Australia y Nueva Zelanda están cooperando en la vigilancia marítima de los pequeños estados isleños de la región. El uso de la marina y la fuerza aérea para la vigilancia civil y la búsqueda y el rescate no debería servir de cobertura para las funciones militares continuas de esta cooperación naval. Botes patrulleros suministrados por Australia fueron usados en el bloqueo de Bougainville por la Fuerza de Defensa de Papua Nueva Guinea en un conflicto que causó la muerte de al menos 12.000 personas. Incluso con la clausura del Centro de Pruebas Nucleares en Moruroa, Francia está manteniendo fuerzas militares en el Pacífico. El llamado a la autodeterminación e independencia en las colonias del Pacífico francés de Nueva Caledonia y Polinesia Francesa adquiere una creciente importancia bajo esta luz. El fin de las pruebas nucleares en 1996 es un paso importante para la seguridad de la región pero no es el fin de la cuestión.

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Corazón Fabros *es una abogada de las Filipinas y ha trabajado como Secretaria General de la Coalición por Filipinas Libre de Armas Nucleares (NFPC).* ❑

MÉXICO: EXPERIENCIAS DE AUTONOMÍA INDÍGENA

Esta importante colección de artículos será lectura obligatoria para todo aquel que desee una mayor comprensión del dinámico proceso de cambio que México y sus pueblos indígenas han vivenciado a finales del pasado milenio.

El libro describe múltiples experiencias y presenta varias propuestas relativas a la cuestión de la autonomía indígena.

Se describen varias contribuciones al proceso de construcción de una propuesta nacional sobre autonomía. Se analizan aspectos constitucionales e internacionales sobre la autonomía. Se provee un punto de vista femenino. Se presentan casos significativos de autonomía local y lucha de los pueblos indígenas por sus recursos y medio ambiente en oposición a una política gubernamental para el desarrollo infraestructural equivocada y mal planificada.

Este libro es una valedera contribución al debate mexicano sobre la autonomía indígena.Publicado también en inglés, Documento No. 94.

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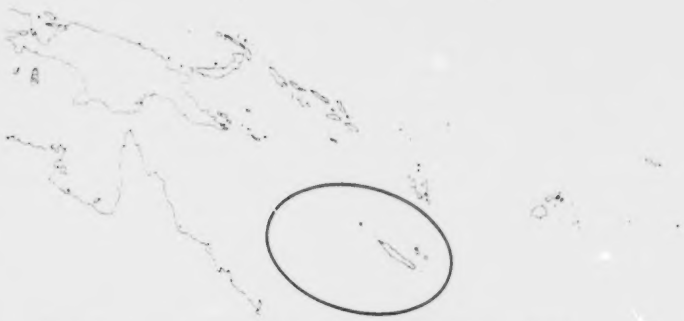

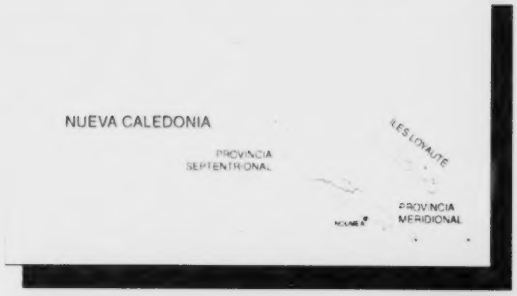

EL ACUERDO DE NUMEA Y LA DESCOLONIZACIÓN EN KANAKY

(NUEVA CALEDONIA)

Por Nic Maclellan, PCRC

La firma del Acuerdo de Noumea en mayo de 1998 y la creación de nuevas instituciones políticas han cambiado el terreno para la descolonización de Kanaky (Nueva Caledonia) en forma significativa.

Después de una compleja serie de negociaciones, el 5 de mayo de 1998 fue firmado el Acuerdo de Noumea por el gobierno de Francia, el FLNKS y el RPCR. Una subsecuente legislación en París promulgó elementos claves del Acuerdo, incluyendo:

- Cambios constitucionales al estatus de Nueva Caledonia dentro de la República Francesa, creando una "soberanía compartida", una nueva ciudadanía para los neocaledonianos, y finalización del estatus previo de *territoire d'outremer* (territorio de ultramar) de Francia;
- Elecciones en mayo de 1999 para nuevas instituciones políticas, reemplazando el existente Congreso Territorial;
- Una transferencia "irreversible" de poderes administrativos de París a las autoridades locales y el nuevo Congreso en Nueva Caledonia;
- Medidas para reconocer a la cultura e identidad indígena *kanak* (destacada por un preámbulo al Acuerdo de Noumea que reconoce las "sombras" del período colonial);

- Una transición de 15-20 años antes de un referéndum sobre autodeterminación para Nueva Caledonia, conducente posiblemente a la "emancipación" del territorio.

El estatus transicional

El estatus transicional creado por el Acuerdo de Noumea es único y fue negociado por etapas. A continuación de la firma del acuerdo el 5 de mayo de 1998, la Asamblea Nacional Francesa y el Senado aprobaron enmiendas a la Constitución Francesa, las cuales fueron aprobadas en una reunión conjunta del Parlamento en Versailles el 6 de julio de 1998. El acuerdo fue luego ratificado por casi el 72% de la población de Nueva Caledonia en un referéndum, el 8 de noviembre de 1998. El Parlamento francés promulgó legislación para implementar la decisión del referéndum el 12 de marzo de 1999.

Esto abrió el camino para las elecciones de mayo de 1999 para las nuevas instituciones políticas:

- Tres Asambleas Provinciales para la Provincia Meridional (40 escaños), la Provincia Septentrional (22 escaños) y la Provincia de las Islas Loyalty (14 escaños).
- Un nuevo Congreso de 54 escaños constituido por 32 miembros de la Asamblea del sur, 15 de la del norte y 7 de las Islas Loyalty electos por un término de cinco años.
- Un Gobierno ejecutivo de 11 miembros, que reemplaza al Alto Comisionado Francés como el órgano ejecutivo del país y puede proponer leyes para ser adoptadas por el Congreso.
- Un Senado de 16 miembros para jefes consuetudinarios, que debe ser consultado sobre temas que afecten la identidad kanak.

La nueva categoría de "ciudadanos de Nueva Caledonia" según la ley francesa es importante para los derechos de votación, inmigración y empleo. Sólo a los neocaledonianos se les permitió votar en el referéndum de noviembre de 1998 y en las elecciones para la Asamblea y Congreso (sin embargo, los ciudadanos de Nueva Caledonia retienen su nacionalidad francesa y pueden sumarse a todos los otros franceses para votar para la Asamblea Nacional francesa y el Parlamento Europeo).

Los poderes actualmente detentados por el Estado francés serán transferidos a Nueva Caledonia en cuatro etapas.A diferencia de los estatutos de autonomía de Francia para la Polinesia Francesa, estos poderes no pueden revertir a París una vez transferidos. Unos cuantos poderes serán transferidos el 1 de enero del 2000 (incluyendo el control del empleo

Vista del Centro Cultural Jean Marie Tjibaou, Noumea, Kanaky

local y la educación primaria); otros serán transferidos en etapas durante una década. Durante todo el período de transición, algunos poderes serán compartidos entre Nueva Caledonia y el Estado francés (p. ej., mientras que las relaciones internacionales están dentro de la responsabilidad del estado, Nueva Caledonia puede participar de organizaciones internacionales y regionales como observador). Los cruciales "poderes soberanos" –justicia, orden público, defensa, finanzas y moneda- permanecerán como poderes del Estado francés hasta el referéndum final sobre autodeterminación.

Esta votación sobre el estatus político de Nueva Caledonia será dilatada durante un período de 15-20 años (es decir, hasta después de tres términos del Congreso y antes del fin del cuarto término). Esta votación, entre los años 2014 y 2018, estará basada en una participación limitada (en vez de todos los ciudadanos franceses) y se centrará en "la transferencia de los poderes soberanos de Nueva Caledonia, acceso al estatus internacional de plena responsabilidad y transformación de ciudadanía en nacionalidad".

La reacción kanak

El Presidente del FLNKS, Roch Wamytan, ha subrayado los logros históricos del Acuerdo de Noumea para la población indígena: un reconocimiento de Francia y del RPCR del pasado colonial; cambios sin precedentes de la Constitución francesa; restricciones en el voto y controles de la inmigración que pueden cambiar el equilibrio político en favor de los *kanak*; la transferencia "irreversible" de poderes a las instituciones de Nueva Caledonia. Muchos kanak se han alegrado también de las medidas para reconocer la cultura e identidad indígenas kanak.

El referéndum obtuvo la mayoría del apoyo kanak, pero hay voces de disentimiento. Estas destacan que Francia retendrá el control de poderes legales y políticos claves y muchos aspectos de la política exterior en los 15-20 años antes del acto de autodeterminación. Aunque el preámbulo del Acuerdo hace reconocimiento específico del pasado colonial, las palabras "autodeterminación" o "independencia" no son utilizadas. El gobierno francés se está presentado a sí mismo como un árbitro independiente entre las fracciones pro- y anti-independentistas, re-escribiendo la historia del rol central del Estado francés en el proceso colonial. Algunas ONGs está preocupadas sobre los impactos sociales y ambientales de un modelo de desarrollo basado en la minería y el turismo. Más concretamente la confederación sindical USTKE ve al Acuerdo como reforzando y legitimando el poder del RPCR en la administración local.

El tema de la inmigración

Cómo resultado de la constante inmigración, los indígenas kanak se han convertido en una minoría en su propia tierra. La población kanak en realidad disminuyó durante la década posterior a los Acuerdos de Matignon (del 44,8% al 44,1% de la población) a pesar del alto índice de natalidad en la comunidad indígena. La población europea aumentó en más de 10.000 personas en el mismo período – aunque el Primer Ministro Michel Rocard prometió a Jean-Marie Tjibaou en 1988 que Francia repatriaría a miles de funcionarios públicos franceses.

La reversión de esta inmigración fue un elemento crucial de las negociaciones del Acuerdo de Noumea con implicaciones vitales para los derechos políticos, los valores culturales y el empleo local. La creación de la nueva "ciudadanía" de Nueva Caledonia (distinta de la "nacionalidad" francesa) fue un mecanismo legal para permitir la discriminación entre los funcionarios públicos franceses y soldados (quienes tradicionalmente votan contra la independencia) y la gente con un compromiso a largo plazo con la nación del Pacífico. Solamente pocos ciudadanos de Nueva Caledonia pueden votar para las Asambleas Provinciales y el Nuevo Congreso – congelando efectivamente el cuerpo electoral en 1998, pues solamente aquellas personas residentes durante diez años después de 1988 y sus descendientes en edad de votar, pueden participar en futuros eventos electorales. Los líderes de la independencia argumentan que el cambio demográfico y los límites a la inmigración de Francia crearán una base para un voto sólido en favor de la independencia a fines del período de transición de 15 años.

Pero el 15 de marzo de 1999, el Consejo Constitucional de París sentenció que todos los residentes franceses residentes en Nueva Caledonia durante al menos 10 años –independientemente de la fecha de su arribo- serán capaces de participar en las elecciones provinciales. (El Consejo evalúa si las leyes promulgadas por el Parlamento francés están de acuerdo con la Constitución francesa). Indignados por la remoción de una parte clave del Acuerdo, la dirección del FLNKS amenazó con boicotear las elecciones de mayo de 1999. El llamado al boicot fue recién revertido cuando el gobierno francés acordó enmendar otra vez la Constitución. En junio de 1999, fue aprobada una legislación por la Asamblea Nacional francesa y el Senado para restablecer la legislación de fecha límite de 1988 que será ratificada por una sesión conjunta de ambas cámaras en enero del año 2000.

La inmigración tiene importantes impactos sobre el empleo, pues los jóvenes de Nueva Caledonia pierden frecuentemente sus trabajos en favor de extranjeros franceses. El programa "400 cadres" establecido por los Acuerdos de Matignon aumentaron la cantidad de kanak empleados en la administración local, pero los niveles más elevados de administración están dominados por funcionarios públicos franceses (1.277 europeos contra solamente 188 kanak). Entre 1989 y 1996, la cantidad de funcionarios públicos franceses en Noumea se duplicó.

Algunos líderes sindicales kanak están preocupados de que la transferencia de poderes de París a Noumea después del 2000 creará nuevas presiones para el empleo de extran-

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jeros, debido al número limitado de kanak con capacidades profesionales y técnicas. El censo de 1996 muestra que en las "profesiones liberales" hay 551 europeos, siete wallisianos, tres tahitianos pero sólo dos kanak. El desequilibrio continuará, pues el RPCR ha tomado el control de responsabilidades claves en el gobierno relativas a asuntos económicos, finanzas, presupuesto, empleo, servicio público, capacitación y educación – dejando al FLNKS con juventud y deporte, cultura, salud y relaciones con el Congreso y el Senado.

El proceso del Acuerdo de Noumea tiene implicaciones para las otras colonias del Pacífico. El gobierno francés enmendará otra vez su Constitución en enero del 2000 para crear un nuevo estatuto de autonomía para la Polinesia Francesa. Esto duplicará algunos elementos del Acuerdo de Noumea: Polinesia Francesa se convertirá en un "país de ultramar" en vez de un "territorio de ultramar" de Francia con el poder de promulgar leyes, firmar tratados internacionales y proteger el empleo local. A diferencia del Acuerdo de Noumea, sin embargo, no existe ningún voto sobre autodeterminación e independencia al fin de la transición.

__Nic Maclellan__ trabaja con asuntos de desarrollo educacional en el PCRC. Se dedica desde muchos años en seguir la situación en Nueva Caledonia/Kanaky.

Por más detalles sobre el movimiento indígena kanak y cambios en Nueva Caledonia, ver: "The Noumea Accord and Decolonisation in New Caledonia" *por __Nic Maclellan__, Journal of Pacific History,* Vol.34 No.3, 1999. ❑

Kanaky, noviembre de 1998

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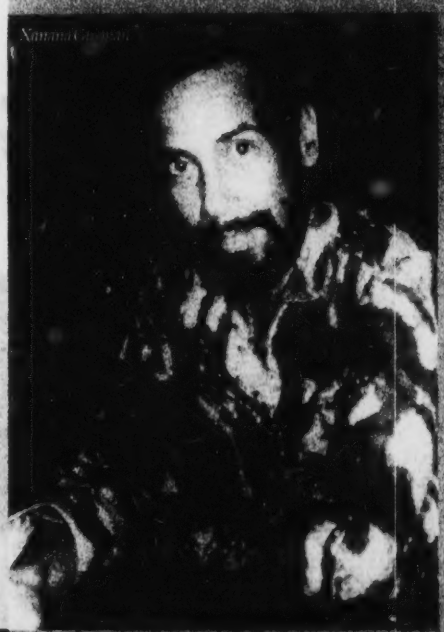
TIMOR ORIENTAL: EL CAMINO A LA INDEPENDENCIA

Por Torben Retbøll



"Si desean su libertad, son bienvenidos. El gobierno ha adoptado sólo dos alternativas. La primera es una amplia autonomía para la provincia, la cual creo es la mejor solución para la cuestión. Pero si la propuesta es inaceptable, procederemos con nuestra segunda alternativa que es, retornaremos al pueblo [a través de una sesión general de la Asamblea Consultiva del Pueblo, MPR] *para que sentencie que se le permita a Timor Oriental la secesión de Indonesia."*

Estas palabras fueron pronunciadas por el Ministro de Relaciones Exteriores de Indonesia, Ali Alatas, el 27 de enero de 1999. Estaba hablando sobre la ex colonia portuguesa Timor Oriental, que fue invadida por Indonesia el 7 de diciembre de 1975. Indonesia anexó al diminuto territorio en julio de 1976, reclamándolo como la 27ª provincia de Indonesia.

Durante muchos años el conflicto de Timor Oriental estuvo en un callejón sin salida, pero la declaración del ministro de relaciones exteriores marcó el comienzo de un nuevo capítulo en la historia de Timor Oriental, la cual ha sido muy turbulenta y dominada por cambios rápidos.

Este artículo está dividido en dos secciones principales. En la primera sección les presentaré una descripción cronológica de los sucesos a partir de enero de 1999. En la segunda sección intentaré explicar por qué las cosas resultaron de la forma en que lo hicieron. En cuanto a la historia de Timor Oriental previa a 1999, me referiré al anexo separado (Un conflicto largo y sangriento).

Arresto domiciliario

El 10 de febrero, Xanana Gusmao, líder del Consejo Nacional de Resistencia de Timor (CNRT), fue transferido de su celda en la Prisión de Cipinang, en Yakarta, a un arresto domiciliario en una residencia en un suburbio de Yakarta. Xanana Gusmao fue capturado por los indonesios en noviembre de 1992.

Cuatro días después el gobierno australiano declaró que era muy probable que Timor Oriental obtuviera finalmente la independencia total de Indonesia: *"Parece muy probable que en algún momento haya plena independencia, sin embargo, preferiríamos que hubiera un período de autonomía dentro del estado indonesio durante un período considerable de tiempo, y por lo menos una transferencia ordenada"*, dijo el Primer Ministro australiano John Howard en la televisión australiana.

Esta declaración fue sumamente significativa, ya que Australia es la única nación occidental que había reconocido la anexión *de facto*, así como *de jure*, de Timor Oriental por parte de Indonesia. En contraste, las Naciones Unidas siempre consideraron la invasión de Indonesia como un acto ilegal.

El 5 de mayo, Indonesia y Portugal firmaron un acuerdo en Nueva York que pavimentó el camino para un referéndum sobre el futuro de Timor Oriental. Fue la conclusión de prolongadas negociaciones bajo los auspicios de las Naciones Unidas. Al principio, el referéndum estaba programado para el 8 de agosto. Pero luego fue pospuesto para el 30 de agosto. El referéndum sería organizado y monitoreado por una misión de la ONU en Timor Oriental (UNAMET) cuyos miembros comenzaron a arribar al territorios tres días después de que el acuerdo fuera firmado en Nueva York.

El 7 de junio Indonesia celebró elecciones para un nuevo parlamento. Estas eran las primeras elecciones desde la forzada renuncia de Suharto, quien había sido el dictador del país durante más de 30 años. Bajo el régimen de Suharto sólo estaban permitidos tres partidos: el partido gobernante (Golkar) y dos partidos de oposición. En las elecciones se presentaron una multitud de partidos pero la mayoría de ellos no tenía ninguna chance de ser representado en el nuevo parlamento.

El conteo de los votos duró mucho tiempo. Los resultados finales recién fueron anunciados el 20 de julio. El Partido Democrático de Lucha, dirigido por Megawati Sukarnoputri, hija del Presidente fundador de Indonesia ganó el 33,7% de los 105 millones de votos. Golkar, el ex partido de gobierno, obtuvo un segundo lugar con el 22,4%. El Partido de Despertar Nacional obtuvo el 12,6% seguido por el Partido Unido para el Desarrollo con el 10,7%. El Partido del Mandato Nacional obtuvo el 7,1%, mientras que varios grupos menores obtuvieron un total del 13,5%.

El referéndum

El 30 de agosto se celebró el referéndum sobre el futuro de Timor Oriental. Fue un día relativamente pacífico, según las

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normas locales, pero el referéndum tuvo lugar en una atmósfera de violencia y amenazas de violencia: durante varios meses las milicias pro-indonesias habían estado diseminando muerte y destrucción en todo el territorio. Las milicias estaban patrocinadas por el ejército indonesio (TNI), el cual estaba a cargo de la seguridad según el acuerdo de Nueva York. Los monitores de la ONU estaban desarmados y, por lo tanto, eran incapaces de detener a las milicias.

El resultado se anunció cinco días más tarde. La participación fue alta: alrededor del 99 por ciento de los 450.000 votantes registrados participaron en la votación. Y el mensaje fue claro: 78,5% de los votantes endosaron la independencia, rechazando la oferta de Indonesia de una autonomía especial. Sólo el 21% votó en favor de la autonomía.

"Hoy no hay ni ganadores ni perdedores", dijo el Secretario General de la ONU Kofi Annan cuando anunció el resultado del referéndum. *"Este momento anuncia la oportunidad para todos los timorenses orientales de comenzar a forjar juntos un futuro común en lo que se convertirá un Timor Oriental independiente"*. Y agregó: *"Hoy pido a todas las partes poner fin a la violencia que durante 24 años ha causado sufrimientos indecibles a Timor Oriental"*.

Su alegato no fue escuchado: durante los cinco días siguientes las milicias escalaron sus actividades contra aquellos que consideraban que estaban a favor de la independencia. Unas 200.000 personas huyeron a las montañas de Timor Oriental. Un número similar de personas fueron forzadas a cruzar la frontera a Timor Occidental donde permanecieron bajo el control de las milicias y los soldados indonesios.

Incluso en Obispo Carlos Belo fue forzado a huir a Australia disfrazado de civil. De Australia el obispo se trasladó a Europa. A su llegada a Lisboa el 10 de septiembre acusó a las autoridades indonesias de "genocidio" en Timor Oriental: *"Dili es una ciudad destruida, completamente quemada"*, dijo. Pronto no quedaría nada en Timor Oriental más que *"árboles, piedras, tierra y animales"*.

La mayoría de los extranjeros también abandonaron el territorio: los representantes del Comité Internacional de la Cruz Roja, los miembros de UNAMET y los periodistas extranjeros. De varias maneras, la situación era similar al momento apenas antes de la invasión en diciembre de 1975.

Presión sobre Indonesia

El Presidente de los EE.UU., Bill Clinton, y otros miembros de la comunidad internacional exhortaron a Indonesia a aceptar una fuerza militar internacional que pudiera establecer la ley y el orden en el territorio. *"Si Indonesia no pone fin a la violencia, debe invitar a la comunidad internacional a que asista a restablecer la seguridad"*, dijo Clinton en un discurso desde la Casa Blanca.

La situación se estaba yendo de las manos, pero Indonesia todavía se negaba a entregarse y las grandes potencias no estaban dispuestas a enviar una fuerza militar sin la aprobación previa de Indonesia.

En medio de esta crisis –el 8 de septiembre- Indonesia liberó a Xanana Gusmao de su arresto domiciliario. Por primera vez desde que fue capturado en 1992, era un hombre libre. Pero no podía retornar a su patria debido a los disturbios allí. En cambio, fue a la embajada británica en Yakarta.

El 10 de septiembre el FMI anunció que suspendía sus conversaciones con Indonesia. El 11 de septiembre los Estados Unidos y la Unión Europea anunciaron que suspendían toda la asistencia civil y militar a Indonesia. Al día siguiente Indonesia anunció que estaba dispuesta a aceptar una fuerza militar internacional en Timor Oriental.

El 15 de septiembre el Consejo de Seguridad de la ONU adoptó una resolución que autorizaba que una fuerza militar internacional se hiciera cargo de la seguridad en Timor Oriental. La fuerza fue conducida por Australia y estaba compuesta de tropas de 16 países, principalmente asiáticos. Las primeras de los aproximadamente 7.000 efectivos comenzaron a llegar a Dili cinco días después del voto del Consejo de Seguridad. En la medida en que la fuerza internacional llegaba, el ejército indonesio comenzó a retirarse del territorio.

La fuerza multinacional no era una fuerza de la ONU bajo comando de la ONU. El Consejo de Seguridad autorizó simplemente a "alguien" a hacer "algo" para ayudar a Timor Oriental. Se esperaba que el poder sería entregado a una fuerza regular de la ONU más adelante durante 1999.

Belo y Gusmao

El 6 de octubre el Obispo Melo retornó a Timor Oriental donde recibió una bienvenida de héroe. Un telegrama de la AFP lo describe como "el hombre que se atrevió a decir no a Suharto". Durante la ocupación indonesia la Iglesia Católica era la única institución legal que no estaba controlada por Yakarta. Muchos *timorenses orientales* se convirtieron al catolicismo porque la Iglesia trató de protegerlos de la opresión indonesia. Asistir a una misa en una iglesia católica era la única forma legal de manifestar su oposición a la integración con Indonesia.

Xanana Gusmao abandonó la embajada británica en Yakarta y llegó a Darwin el 20 de septiembre. Desde allí comenzó un largo periplo que lo llevó hasta Nueva York (28 de septiembre), a Lisboa (1 de octubre), a Dublín (6 de octubre) y de vuelta a Australia (13 de octubre).

En Nueva York, Gusmao y José Ramos-Horta dieron una conferencia de prensa en la sede de la ONU. Entre las muchas preguntas planteadas había una sobre el rol de las mujeres en un Timor Oriental libre. El Sr. Gusmao dijo que hoy las mujeres tenían posiciones de liderazgo y estaban trabajando arduamente en una amplia gama de actividades. *"Queremos construir una sociedad en Timor Oriental que valore la democracia, los derechos humanos y la transparencia"*, dijo. El objetivo era promover la cultura timorense oriental y promover la igualdad de género y las mujeres jugarían un papel en todo el proceso.

En Lisboa fue recibido como un jefe de estado aunque no tenían una posición oficial. El Presidente portugués, Jorge Sampiao, dio la bienvenida a Gusmao en el aeropuerto de Lisboa, junto con el Primer Ministro Antonio Gutierres, el Ministro de Relaciones Exteriores y Defensa Jaima Gama y los líderes de los partidos políticos de Portugal.

En Dublín subrayó que a los timorenses que fueron forzados a trasladarse a Timor Occidental se les debe permitir volver a su hogar: *"Mi pueblo no necesita alimentos y medicinas.*

Quieren por sobre todas las cosas volver a casa, las mujeres quieren encontrar a sus maridos, sus padres o encontrar sus huesos para enterrarlos", dijo a un grupo de activistas de la solidaridad y ONGs. También explicó porque Falintil no estaba dispuesto a desarmarse: *"Falintil es un ejército de liberación, no un grupo de bandidos y criminales"*. Es *"una fuerza legítima y por eso es que no estamos de acuerdo con el desarme"*.

De vuelta en Australia, esta vez en Melbourne, dijo *"pronto nacerá un Timor Oriental libre e independiente de las cenizas de nuestro territorio devastado y destruido"*. Dijo que su país necesitaba asistencia internacional, pero prometió que no *"permitiría la formación de una cultura de la dependencia de la ayuda y asistencia internacional"*.

Habló sobre los fundamentos económicos: *"Timor Oriental se dedicará al comercio internacional mediante las exportaciones de café, petróleo y gas, y el turismo así como también a importar bienes y servicios del exterior. No obstante, pondremos énfasis en el desarrollo del sector agrícola junto con pequeñas y medianas industrias como motor del crecimiento económico."*

También habló sobre el sistema político: *"El sistema democrático que consideramos es el que permita una genuina representación donde todos los elementos democráticos, como la prensa y las organizaciones no-gubernamentales, también tengan un voz substancial en el proceso de toma de decisiones"*.

Prometió que sería diligente *"en la promoción de una total transparencia dentro de los aparatos y organizaciones de poder y en la administración y rendición de cuentas de los fondos provistos por la ayuda internacional a las organizaciones cívicas y sociales."* Esto asegurará que *"desde el primer momento podamos combatir firmemente la corrupción y toda tentación de adulterar los objetivos del desarrollo sustentable"*.

Independencia

El 20 de octubre, la Asamblea Consultiva del Pueblo (MPR) ratificó en Yakarta los resultados del referéndum del 30 de agosto, cancelando así la anexión de Indonesia de julio de 1976 y pavimentando el camino para la independencia de Timor Oriental. Todas las fracciones de la MPR aceptaron la decisión pero no se realizó ninguna votación.

La asamblea no ofreció ninguna disculpa por las acciones de Indonesia durante la sangrienta ocupación. Por el contrario, un párrafo del decreto establece que esto *"no invalidaría los actos de toda forma de honor estatal a los luchadores oficiales otorgados durante el período que el territorio de Timor Oriental estaba unido con la República de Indonesia de acuerdo al derecho nacional"*.

Tres días después de esta histórica votación, Gusmao retornó a su patria por primera vez en siete años. Fue una situación emotiva. En una reunión en Dili, exhortó a sus compatriotas a mostrar al mundo su fortaleza y reconstruir su patria: *"¡Sabíamos que íbamos a sufrir! Pero todavía estamos aquí"*, dijo.

"¡Mostraremos al mundo, mostraremos a Indonesia, nos mostraremos a nosotros mismos que lo podemos hacer! Debemos dejar en el pasado el mal que nos han hecho. El mañana es nuestro", dijo.

"Nos trataron de matar", dijo. *"Pero todavía estamos aquí, llorando y sufriendo pero todavía vivos. Reconstruiremos nuestra patria. Nada puede detenernos"*.

Un producto de la Guerra Fría

Después de esta descripción cronológica, trataré de explicar porque las cosas resultaron del modo en que lo hicieron. En 1999, Indonesia, los países occidentales y los medios de difusión occidentales hicieron un giro completo con relación a Timor Oriental. ¿Por qué?

Una respuesta general es que el conflicto de Timor Oriental fue un producto de la guerra fría entre el Este y el Oeste. El gobierno anticomunista de Indonesia fue considerado un aliado importante del mundo occidental y este estatus protegió efectivamente a Indonesia contra casi cualquier tipo de crítica. Pero la guerra fría terminó en 1989 o 1990. Una vez que había finalizado Indonesia no era tan necesitada como antes y comenzó a perder su inmunidad contra la crítica.

A mediados de 1997 Indonesia fue golpeada por una crisis económica que debilitó tanto al gobierno que Suharto se vio forzado a renunciar en mayo de 1998, después de más de 30 años de ser el dictador del país. Lo sustituyó su vicepresidente B. J. Habibie quien anunció que Indonesia estaba dispuesta a hablar sobre la situación de Timor Oriental.

Los países occidentales no tienen ningún problema con un dictador mientras que esté en control de la situación. Mientras que Suharto estaba en el poder (1965-1998) los países occidentales no hicieron nada para promover la democracia en Indonesia o para ayudar a Timor Oriental en su lucha por la libertad. Por el contrario, apoyaron al gobierno de Suharto con dinero y armas para que pudiera continuar con su política. El mensaje parecía ser: *"cuanto más gente mates, más dinero obtienes"*.

Pero tan pronto como Suharto perdió el control, perdió su inmunidad. Súbitamente, los gobiernos occidentales exigieron democracia en la misma Indonesia y libertad para Timor Oriental. Esto no es nada nuevo: Ferdinando Marcos de las Filipinas y Jean Claude Duvalier (Baby Doc) de Haití experimentaron la misma suerte en 1986.

Los medios de difusión occidentales tienden a seguir a los gobiernos occidentales cuando se trata de cuestiones fundamentales. Ciertamente hicieron eso con relación a Timor Oriental. Permanecieron en silencio mientras que los gobiernos occidentales suministraban armas y dinero al régimen de Suharto. Cuando Suharto fue forzado a renunciar comenzaron a exigir democracia en Indonesia y libertad para Timor Oriental.

El Acuerdo de la ONU

Una de las previsiones del acuerdo de Nueva York del 5 de mayo de 1999 fue que Indonesia sería responsable de la seguridad durante el referéndum. ¿Por qué la ONU aceptó esto? ¿Y por qué la ONU envió sólo civiles desarmados para organizar y monitorear el referéndum? Portugal quería más que esto, pero Indonesia se negó y en ese momento los gobiernos occidentales todavía no estaban dispuestos a presionar a Indonesia para que concediera más. Portugal y la ONU sintieron probablemente que era mejor lograr algo que nada y, por lo tanto, aceptaron las condiciones.

Indonesia parecía estar enviando señales ambiguas: por un lado ofreció su libertad a Timor Oriental, por otro lado

apoyaba las milicias. ¿Por qué? La elite Indonesia estaba probablemente dividida en dos fracciones, al menos. Una era el ejército, que se había apoderado de Timor Oriental y quería mantenerlo. Muchos generales estaban también explotando los recursos de Timor Oriental por lo que también tenían razones económicas para mantenerse en el territorio. Otra fracción era un grupo de tecnócratas como el Presidente Habibie. Ellos consideraban a Timor Oriental como una vergüenza, como una piedra en el zapato de Indonesia, de la cual Indonesia tenía que liberarse lo antes posible.

La ONU permitió que la situación se escapara de las manos en agosto y septiembre de 1999. ¿Por qué? La ONU es tan fuerte o tan débil como las grandes potencias quieren que sea. En 1975, las potencias occidentales no intervinieron porque querían que las cosas resultaran tal como lo hicieron, es decir, querían que Indonesia se apoderara de Timor Oriental, sólo que no lo podían decir, porque la invasión estaba en violación del derecho internacional y la carta de la ONU. ¿Quizá las potencias occidentales querían que las cosas resultaran como lo hicieron en 1999?

¿Un pretexto de intervención?

En septiembre de 1999 los países occidentales cancelaron toda la asistencia civil y militar a Indonesia. El resultado fue interesante: Indonesia se entregó inmediatamente. ¿Por qué los países occidentales no utilizaron su poder antes? Las organizaciones de derechos humanos temían que las cosas iban a resultar mal, porque el ejército indonesio estaba a cargo de la seguridad durante el referéndum. Yo sospecho que las potencias occidentales vieron la situación bajo una luz bastante diferente: deseaban que las cosas resultaran mal – incluso terriblemente mal- para tener un pretexto para una intervención militar.

Durante 1999 las potencias occidentales no intervinieron a pesar de que la situación empeoraba día a día. Durante estos meses los medios de difusión estaban construyendo una opinión internacional, la cual demandaba intervención: "¡Esto es demasiado! ¡Debe hacerse algo!". Cuando las potencias occidentales intervinieron finalmente en septiembre tenían tras de ellas la opinión internacional, la cual es muy importante para los políticos occidentales.

¿Cuáles son las perspectivas para un Timor Oriental independiente? ¿Habrá paz y justicia para la nueva nación? El punto inicial es más que difícil debido a la extensa destrucción causada por las milicias pro-indonesias y el ejército indonesio. Timor Oriental puede convertirse en un protectorado internacional como Bosnia o Kosovo en los Balcanes, donde todos los temas esenciales son decididos por organizaciones internacionales como el Banco Mundial o el Fondo Monetario Internacional. Si este escenario se convierte en realidad, Timor Oriental tendrá su independencia en la teoría pero no en la práctica.

El camino a la independencia duró 25 años: desde la revolución de los claveles de Portugal de abril de 1974 hasta el voto histórico de la asamblea nacional de Indonesia en octubre de 1999. Fue un largo camino sangriento. Pero los timorenses orientales lucharon por más que esto. También querían libertad y justicia. Un capítulo importante de la historia de Timor finalizó con la independencia el 20 de octubre. Pero el próximo capítulo estaba apenas comenzando: la lucha por la libertad y la justicia.

Torben Retboell *enseña historia y latín en Aarhus Katedralskole, Aarhus, Dinamarca. Ha editado varios documentos de IWGIA sobre Timor Oriental y ha escrito el capítulo sobre Timor Oriental en varias ediciones del anuario de IWGIA, El Mundo Indígena.*

Timor Oriental es una ex colonia portuguesa que había sido invadida por su vecina Indonesia el 7 de diciembre de 1975. Desde ese entonces, al menos 200.000 personas –casi un tercio de la población antes de la invasión- han perdido sus vidas como resultado de la guerra, el hambre y las enfermedades.

La ocupación violó doce resoluciones adoptadas por diferentes ramas de las Naciones Unidas: dos del Consejo de Seguridad, ocho de la Asamblea General y dos de la Comisión de Derechos Humanos en Ginebra. Pero durante muchos años la ONU no hizo nada para implementar sus resoluciones.

El mayor partido político, Fretilin, el Frente Revolucionario por un Timor Oriental Independiente, se convirtió en un movimiento de liberación después de la invasión indonesia de 1975. Durante los años 80 el movimiento de resistencia se convirtió en una organización unificadora que comprendía al Fretilin y otros grupos. Hoy esta organización es conocida como CNRT, el Movimiento Nacional de Resistencia de Timor. El CNRT luchó en tres frentes diferentes:

1. La lucha diplomática tuvo lugar en el exilio.
2. La población civil que vivía bajo la ocupación indonesia organizó una resistencia pasiva.
3. Los soldados guerrilleros, conocidos como Falintil, condujeron una lucha armada contra los invasores.

Indonesia recibió ayuda diplomática, económica y militar de la mayoría de los países occidentales, especialmente de los Estados Unidos y Gran Bretaña, y su apoyo continuó incluso después de que Suharto fue forzado a renunciar en mayo de 1998.

Un país occidental (Australia) reconoció la anexión indonesia de Timor Oriental, no sólo *de facto* sino también *de jure*. En 1989 Indonesia y Australia firmaron un tratado internacional sobre la explotación de recursos energéticos en el Estrecho de Timor, el océano entre Timor Oriental y Australia.

Como ex poder colonial, Portugal alegó que el tratado era ilegal y llevó el caso a la Corte Internacional de Justicia en La Haya. En 1995, la Corte se negó a dictar un veredicto debido a que Indonesia no reconocía la competencia de la Corte para juzgar en el asunto, pero la Corte insistió que el pueblo de Timor Oriental tenía el derecho a la autodeterminación.

Los medios de difusión occidentales

El conflicto fue mayormente ignorado por los medios de difusión occidentales. La cobertura masiva recién comenzó en 1999. Sin embargo, hubo alguna atención sobre el problema de vez en cuando:

El Papa Juan Pablo II realizó una visita oficial a Timor Oriental en octubre de 1989 durante la cual algunos timorenses orientales organizaron una manifestación contra la integración a Indonesia.

Una masacre en el cementerio de Santa Cruz, cerca de Dili, en noviembre de 1991 fue testimoniada por varios periodistas extranjeros, algunos de los cuales fueron casi asesinados por los soldados indonesios.

En noviembre de 1992, Xanana Gusmao fue capturado por los indonesios. En mayo de 1993 un tribunal indonesio lo sentenció a prisión perpetua. Tres meses más tarde, el Presidente Suharto intervino y redujo la sentencia a 20 años de prisión.

A mediados de 1994 Indonesia intentó detener la Conferencia Asiática y del Pacífico sobre Timor Oriental. (APCET) que una serie de organizaciones de solidaridad querían celebrar en Manila, la capital de Filipinas. Varios delegados extranjeros fueron rechazados en el aeropuerto de Manila, pero la conferencia fue celebrada de todas maneras y recibió mucho más atención que la que hubiera tenido en condiciones normales debido al intento indonesio de detenerla.

En 1996 el Premio Nobel de la Paz fue otorgado a dos ciudadanos timorenses orientales: el diplomático en exilio José Ramos-Horta y el Obispo Católico Carlos Ximenes Belo. 1996 fue el centenario del Premio Nobel de la Paz. Obviamente, el comité noruego fue muy cuidadoso cuando seleccionó a las personas que iban a recibir el premio ese año.

Dos interpretaciones

El acontecimiento del Premio Nobel puede ser entendido de dos maneras. Una interpretación dice que el comité noruego tomó una decisión valiente. El Premio Nobel de la Paz dio al movimiento de solidaridad internacional una nueva legitimidad. El honor y el prestigio del Premio Nobel de la Paz abrió puertas que habrían continuado cerradas sin el mismo.

Otra interpretación dice que el premio no cambió nada inmediatamente y que llegó bastante tarde para los timorenses. El conflicto de Timor Oriental fue un producto de la guerra fría pero ésta había finalizado en 1989 o 1990. El comité noruego estaba jugando seguro cuando otorgó el premio a dos timorenses seis años después de que la guerra fría había terminado. El premio hubiera sido mucho más importante si hubiera sido otorgado en 1986 o 1976. Pero durante la guerra fría los timorenses orientales fueron ignorados – no sólo por los gobiernos occidentales y los medios de difusión occidentales sino también por el comité noruego del Premio Nobel de la Paz.

En julio de 1997, el Presidente sudafricano Nelson Mandela hizo una visita oficial a Yakarta. Durante las conversaciones con el Presidente Suharto, Mandela expresó su deseo de reunirse con Xanana Gusmao quien en ese momento todavía estaba en la celda de una prisión. Debido al prestigio internacional de Mandela, Suharto no pudo rechazar su deseo, así que Gusmao fue llevado desde su celda de prisión a la residencia de huéspedes presidencial donde se reunió con Mandela. A continuación de esta reunión Mandela declaró que era urgente encontrar una solución al conflicto de Timor Oriental.

El Premio Nobel de la Paz de 1996 y la reunión de 1997 de Mandela con Gusmao pueden ser considerados como dos importantes señales dirigidas al gobierno indonesio de que la comunidad internacional no estaba dispuesta a tolerar indefinidamente la brutal e ilegal ocupación de Timor Oriental.❑

AUTODETERMINACIÓN EN PAPUA OCCIDENTAL (IRIAN JAYA)

Por John Otto Ondawame

La invasión de Indonesia de Papua Occidental en 1963, seguida por la Ley de 1969 de Libre Opción ha conducido a tres décadas de abusos de derechos humanos. Pero a partir del referéndum de agosto sobre Timor Oriental el movimiento nacionalista de Papua Occidental se está expresando por la independencia. El 1 de diciembre de 1999 decenas de miles de personas se reunieron en pueblos en toda Papua Occidental para levantar la bandera de la Estrella de la Mañana. El primer día de diciembre es el aniversario de la declaración de independencia de los nacionalistas de Papua Occidental contra el régimen colonial holandés.

En medio de las islas del Pacífico y Asia suroriental, la lucha de Papua Occidental por la independencia de Yakarta ha sido largamente olvidada por la comunidad internacional. Pero, a pesar de esto, los indígenas *melanesios* de la mitad occidental de la isla de Nueva Guinea están determinados a liberarse de las garras del colonialismo indonesio.

Hay esperanzas en el aire. En la medida en que el siglo XX comienza a ponerse detrás del horizonte del tiempo, parece que Yakarta está perdiendo el control de algunos enclaves del archipiélago indonesio. Con los violentos levantamientos en Ambon y Aceh, el Presidente de Indonesia Abdurrachman Wahid tendrá las manos llenas. Además, la anémica economía del país ha debilitado la capacidad del gobierno de encarar los levantamientos secesionistas. Para los habitantes de Papua Occidental, el rayo más resplandeciente de esperanza fue la victoria del referéndum pro-independentista en Timor Oriental. Eso, para los miembros y simpatizantes de Organisasi Papua Merdeka (OPM) –el movimiento pro-independista- fue un signo de que Papua Occidental podría ser la próxima en la línea para desvincularse a sí misma de Yakarta.

El régimen colonial indonesio

A pesar de sus esperanzas, los habitantes de Papua Occidental están bien conscientes de las dificultades que enfrentan. Debido a su vasta área territorial y ricos minerales, forestería y otros recursos naturales, es improbable que Yakarta abandone este territorio (que llama Irian Jaya) sin luchar. En las pasadas tres décadas el gobierno indonesio ha incrementado su posesión de Papua Occidental mediante el uso de enfoques militares, sociales e institucionales.

Desde que se apropió del territorio de los holandeses hace 35 años, Indonesia ha promovido una subyugación militar sistemática de este enclave melanesio. Durante las últimas tres décadas, muchos indígenas de Papua Occidental han sido muertos, torturados y encarcelados por el ejército indonesio. Muchos de aquellos que se oponen al régimen de

Estudiantes de Papua Occidental demostrando frente al Ministerio del Interior en Jakarta - abril de 1999

Yakarta han sido forzados a esconderse en las junglas o están en el exilio en el extranjero. Sin embargo, esta es una guerra poco conocida por la comunidad internacional. Y, en instancias en que los países conocen de las atrocidades de Indonesia, algunos han elegido ignorarlas, barriéndolas bajo la alfombra debido a sus relaciones comerciales, militares y diplomáticas con Yakarta. Australia y los EE.UU., por ejemplo, hace mucho que son conscientes de las atrocidades cometidas por Indonesia en Papua Occidental. Sin embargo, han dicho poco en los foros internacionales.

Políticamente, recientemente se ha sugerido dividir "Irian Jaya" en tres provincias administrativas: Papua Occidental, Papua Central y Papua Oriental. Este acto no fue sólo por conveniencias administrativas, sin también para dividir y debilitar a los papuanos occidentales en su lucha contra Yakarta. El otro propósito de estas administraciones provinciales es encargarse del programa de transmigración del gobierno. Esto facilita el reasentamiento en Papua Occidental de indonesios de otras islas populosas como Java.

Los problemas socioeconómicos surgen cuando los recién llegados toman control del poder administrativo, se apropian de los trabajos y crean rápidos cambio demográficos que ejercen presión sobre los recursos financieros y naturales. El resultado final es que los papuanos occidentales están marginados en su propia tierra.

Aparte del poder del gobierno indonesio, existe también el papel jugado por las compañías multinacionales extranjeras (especialmente estadounidenses y australianas) cuyos intereses en Papua Occidental están en la explotación de los recursos naturales. Una de esas compañías es la Freeport McMoRan, registrada en los EE.UU., que opera la Mina Freeport en el área de Timika de las montañas meridionales de Papua Occidental. Estas compañías han contribuido de muchas maneras con Yakarta en la opresión de los pueblos indígenas y han financiado el colonialismo indonesio en Papua Occidental.

La lucha de Papua Occidental por la independencia

Pero a pesar de los obstáculos, los papuanos occidentales nunca han abandonado su oposición a Yakarta. Dirigidos por la OPM, la resistencia ha tomado diversas formas, que van desde el enfrentamiento paramilitar hasta las manifestaciones pacíficas. El 14 de octubre de 1999, por ejemplo, más de 9.000 papuanos tomaron parte en una manifestación en frente del edificio oficial del Gobernador en Port Numbay (Jayapura). Los manifestantes exhortaron al Gobernador a detener el establecimiento de nuevas provincias administrativas. Hicieron llamados por la limitación de inmigrantes de otras partes de Indonesia, rechazaron la autonomía como una solución para Papua Occidental, solicitaron a Yakarta encarar la violencia cometida por los grupos pro-indonesios en Timor Oriental, Ambon y Aceh y solicitaron la independencia de Papua Occidental.

Con los eventos de Timor Oriental a continuación del referéndum de agosto, se espera que el mundo tome consciencia de la brutalidad y arrogancia del régimen indonesio. Brinda más razones de por qué la comunidad internacional no puede echarse hacia atrás y observar que Papua Occidental sufra el mismo amargo sacrificio de Timor Oriental antes de levantar su mano. Es de particular importancia la responsabilidad de las naciones isleñas internacionales vecinas en expresar el caso de Papua Occidental en los foros internacionales. Aunque los países del Foro del Pacífico Sur puedan ser individualmente pequeños en tamaño, tienen una voz colectiva que es valorada en las organizaciones internacionales como las Naciones Unidas.

Nosotros, los papuanos occidentales, esperamos que un día (con la ayuda de las naciones isleñas del Pacífico y otras) seamos capaces de flamear nuestra bandera como miembro del Foro del Pacífico Sur. Todo lo que pedimos es la oportunidad de determinar nuestro propio futuro.

En la medida en que llegamos al próximo milenio quisiéramos subrayar que aunque el mundo pueda habernos olvidado, nuestra lucha por la independencia nunca será derrotada. La victoria final será nuestra.

Izamiento de la Estrella de la Mañana

El 1 de diciembre de 1999, decenas de miles de personas manifestaron por toda Papua Occidental para ver el izamiento de la bandera Estrella de la Mañana en pueblos y aldeas en todo el país. La ceremonia marcó el 38º aniversario de la declaración de la independencia de Papua Occidental de Holanda – que fue pronto aplastada por la invasión Indonesia en 1963 y la Ley de Libre Opción de 1969.

La bandera Estrella de la Mañana fue izada el 1 de diciembre de 1961 cuando el país era todavía una colonia holandesa. Después de la anexión de indonesia en los años 60, la bandera de la Estrella de la Mañana fue prohibida. Durante todos los años 1970s y 1980s, las autoridades indonesias se opusieron a cualquier unos de ese símbolo de identidad melanesia y deseo de autodeterminación.

Con la caída del régimen de Suharto, el referéndum de Timor Oriental en agosto y las masivas protestas en Aceh, el sentimiento nacionalista de Papua Occidental está creciendo rápidamente. Cada vez más personas ya no temen hablar abiertamente sobre la autodeterminación y la independencia, tal como se demuestra en incidentes en muchas partes del país:

- En julio de 1999, cinco hombres se enfrentaron a la justicia de Jayapura acusados de subversión después de un izamiento de bandera asistido por 100 personas el 1 de julio en Genyem (en el subdistrito de Nimboran cerca de Jayapura.
- Para protestar la decisión indonesia de dividir a Irian Jaya en tres provincias separadas, miles de personas marcharon en la capital Jayapura el 14 de octubre y ocuparon la oficina del gobernador. Otras mil personas marcharon en Nabire, mientras que 350 marcharon a la oficina del jefe de distrito en Biak. Cien estudiantes de Papua Occidental protestaron incluso en Yakarta fuera del hotel donde residían delegados del Parlamento de Indonesia.
- Miles de personas manifestaron en Merauke el 22 de octubre, llamando por la independencia y criticando la nueva estructura provincial. (Mientras que la pacífica multitud se reunió en la Asamblea local, provocadores atacaron edificios gubernamentales de la vecindad, conduciendo a la intervención militar indonesia).
- El 1 de noviembre, nueve activistas fueron juzgados en Sorong, acusados de rebelión según el código criminal de Indonesia.

ONGs llaman a protestas pacíficas

El Instituto para el Estudio y la Defensa de los Derechos Humanos (IHRSTAD) en Jayapura emitió una declaración el 19 de noviembre llamando a protestas pacíficas, destacando que había tres factores básicos que conducían a la gente a plantear la demanda de un acto de autodeterminación:

1. La comunidad internacional, impulsada por intereses políticos y económicos, ha negado durante demasiado tiempo el derecho del pueblo de Papua Occidental siguiendo la injusta "Ley de Libre Opción" en 1969...
2. El sistemático abuso de los derechos humanos, la apropiación de la tierra y la destrucción del medio ambiente han sido los resultados del militarismo, la transmigración y la explotación de minerales durante más de treinta años de integración con Indonesia.
3. La crisis de identidad del pueblo melanesio es un resultado de las políticas genocidas del gobierno.

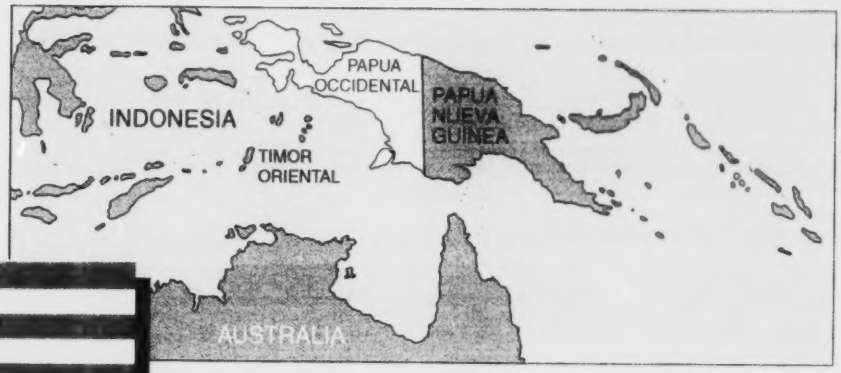
La declaración continúa delineando las dificultades que enfrenta el movimiento nacionalista de Papua Occidental:

1. El crecimiento de la separación entre las personas papuanas y no-papuanas, resultante de las políticas del gobierno ha tendido a inflamar los conflictos horizontales a lo largo de líneas étnicas o religiosas.
2. Ha habido un espontáneo surgimiento de luchas por parte del pueblo mientras que al mismo tiempo existe una crisis de organización, visión, estrategia y coordinación. El resultado es que ha sido posible que fuerzas externas manipulen el movimiento...
3. La lucha del pueblo está enfrentando una crisis de liderazgo. El movimiento no tiene una estructura clara, visión o dirección. Varios individuos han alegado ser líderes del pueblo papuano sin ningún proceso democrático. Varias personas han emitido declaraciones llenas de promesas vacías, compitiendo entre sí y alegando tener el apoyo de la comunidad internacional (las Naciones Unidas) o de ciertos países. No obstante, como todos saben, la intervención de la ONU en cualquier parte del mundo está guiada por cuestiones de soberanía estatal y los intereses económicos y políticos de aquellos países que pueden ejercer el veto y pueden ejercer una influencia en la ONU.

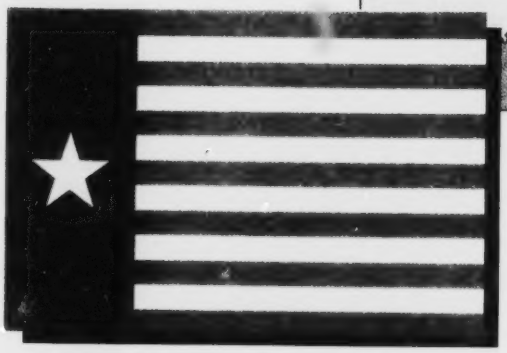
En las vísperas de las protestas del 1 de diciembre, la iglesia de Papua Occidental y los líderes de ONGs expresaron la preocupación de que Indonesia organizaría provocaciones violentas ese día. Llamaron a una protesta pacífica, preocupados de que las fuerzas armadas indonesias y los servicios de inteligencia usarían el conflicto en Papua Occidental para intervenir aun más y también desestabilizar al nuevo gobierno indonesio del Presidente Abdurrachman Wahid. Circularon ampliamente rumores que guerrillas de la Organisasi Papua Merdeka (OPM) atacarían a transmigrantes en Arso y otras áreas fronterizas – aunque los líderes de la OPM en el exilio llamaban a protestas pacíficas el 1 de diciembre.

Izamiento de bandera cerca de la mina Freeport

En Timika, miles de personas de reunieron en el Iglesia Católica e izaron la bandera Estrella de la Mañana el 10 de noviembre. Timika está ubicada cerca de la mina de cobre y oro Grasberg, operada por una subsidiaria de la Corporación de EE.UU. Freeport McMoRan. A pesar de los llamado de los



La bandera de La Estrella de la Mañana



indonesios de que la bandera fuera bajada, grupos culturales de diferentes comunidades establecieron tiendas de campaña y creció un pequeño campamento, las paredes de la iglesia fueron cubiertas de pancartas, consignas pro-independentistas y la prohibida bandera Estrella de la Mañana.

El reverendo Isak Onawame, un líder de la protesta de Timika, expresó:

"No descenderemos la bandera a menos que el gobierno de Indonesia acuerde cumplir con nuestras siguientes demandas: reconocer inmediatamente la independencia de Papua Occidental; acordar organizar un referéndum en Papua Occidental; reasumir las conversaciones entre el Equipo 100 y el gobierno de Indonesia relativas al futuro del pueblo de Papua Occidental; retirar todas las tropas indonesias de Papua Occidental; detener el programa de inmigración y entrar en nuevas negociaciones entre Freeport Indonesia y los dueños de tierras; permitir que tengan libre acceso al país al monitoreo internacional independiente humanitario y ambientalistas de grupos, periodistas y ONGs".

El 12 de noviembre, hablando a miles de simpatizantes, Theys Eluay del Consejo Tribal de Irian Jaya llamó al izamiento de banderas en todo el país el 1 de diciembre (Eluay fue nombrado en su posición por el gobierno indonesio durante la era de Suharto). Luego se reunió con las autoridades militares indonesias que cambiaron su oposición al izamiento de banderas por un acuerdo de que las banderas izadas en la mañana del 1 de diciembre deberían ser descendidas a la caída de la noche.

La bandera Estrella de la Mañana siguió flameando en Timika hasta el 1 de diciembre cuando intervinieron tropas y policías indonesios. Cincuenta y cinco personas resultaron heridas cuando las fuerzas indonesias abrieron fuego sobre la multitud de unos 2.000 manifestantes.

Tropas de las fuerzas armadas indonesias TNI llegaron en la mañana del 1 de diciembre, bloqueando las salidas del edificio de la iglesia católica donde los protestantes habían estado manifestando desde noviembre. Miembros de la Brigada Móvil de la Policía Nacional trataron de dispersar a la multitud y descender la bandera. Fuerzas del TNI abrieron fuego contra la multitud y al menos 14 fueron tratados por heridas serias, incluyendo heridas de bala, en el hospital de Freeport y otros 41 heridos fueron llevados al hospital Caritas en Timika.

Los soldados del TNI arrestaron tres líderes protestantes claves: Reverendo Isak Onawame, Guru Hiskia Mararabeam y Yosaefa Alomang (quien ha presentado un caso judicial contra Freeport). Las autoridades indonesias negaron al principio de que hubieran habido víctimas, y luego declararon que la gente había sido pisoteada en la corrida cundo los soldados TNI lanzaron disparos intimidatorios al aire.

Al día siguiente del tiroteo en Timika, cientos de personas manifestaron en el sitio de la protesta original. John Rumbiak, del Instituto por los Derechos Humanos y Abogacía informó: "la gente está indignada, choqueada y quiere cambios".

En Nabire, en el noroeste del país, protestante armados con arcos y flechas continuaron flameando la bandera durante días después del 1 de diciembre, en desafío a las ordenes indonesias de descenderla.

A pesar del surgimiento del sentimiento nacionalista, Indonesia será reacia a abandonar el petróleo, la madera, el oro y otros recursos naturales de Papua Occidental. Indonesia ha nombrado al nuevo comandante TNI para la región de Trikora (incluyendo Papua Occidental), Mayor General Albert Inkiriwang. El vocero de TNI, Mayor General Sudjarat, declaró que el izamiento de banderas estaba dentro de los "límites tolerables en el contexto de la democracia", pero el ejército tomará acciones estrictas si hay más llamados por la autodeterminación.

John Otto Ondawame *es el representante de Organisasi Papua Merdeka (OPM) y vive en exilio en Australia. Está actualmente preparando su tésis doctoral sobre el movimiento nacionalista de Papua Occidental en la Universidad Nacional de Australia en Canberra.* ❑

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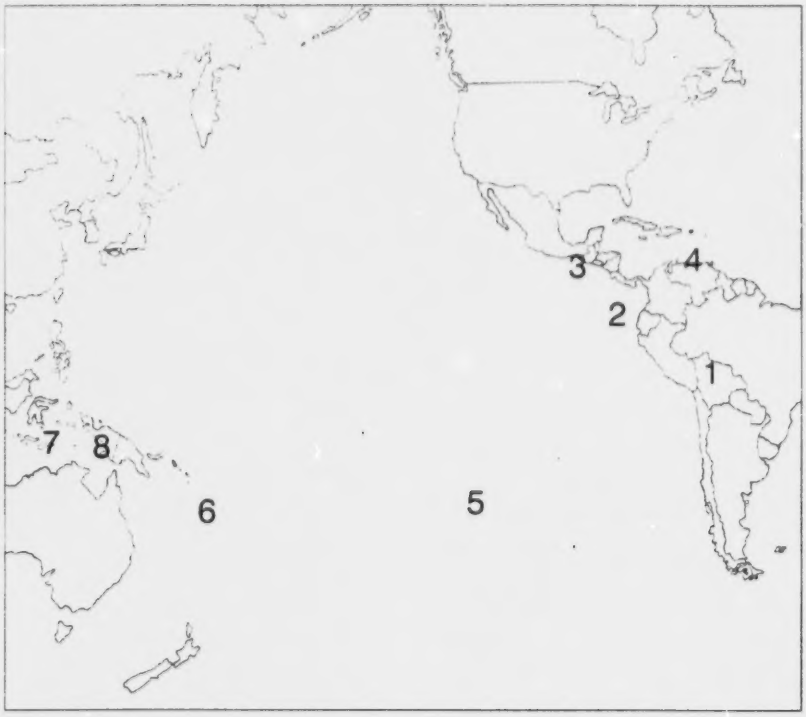

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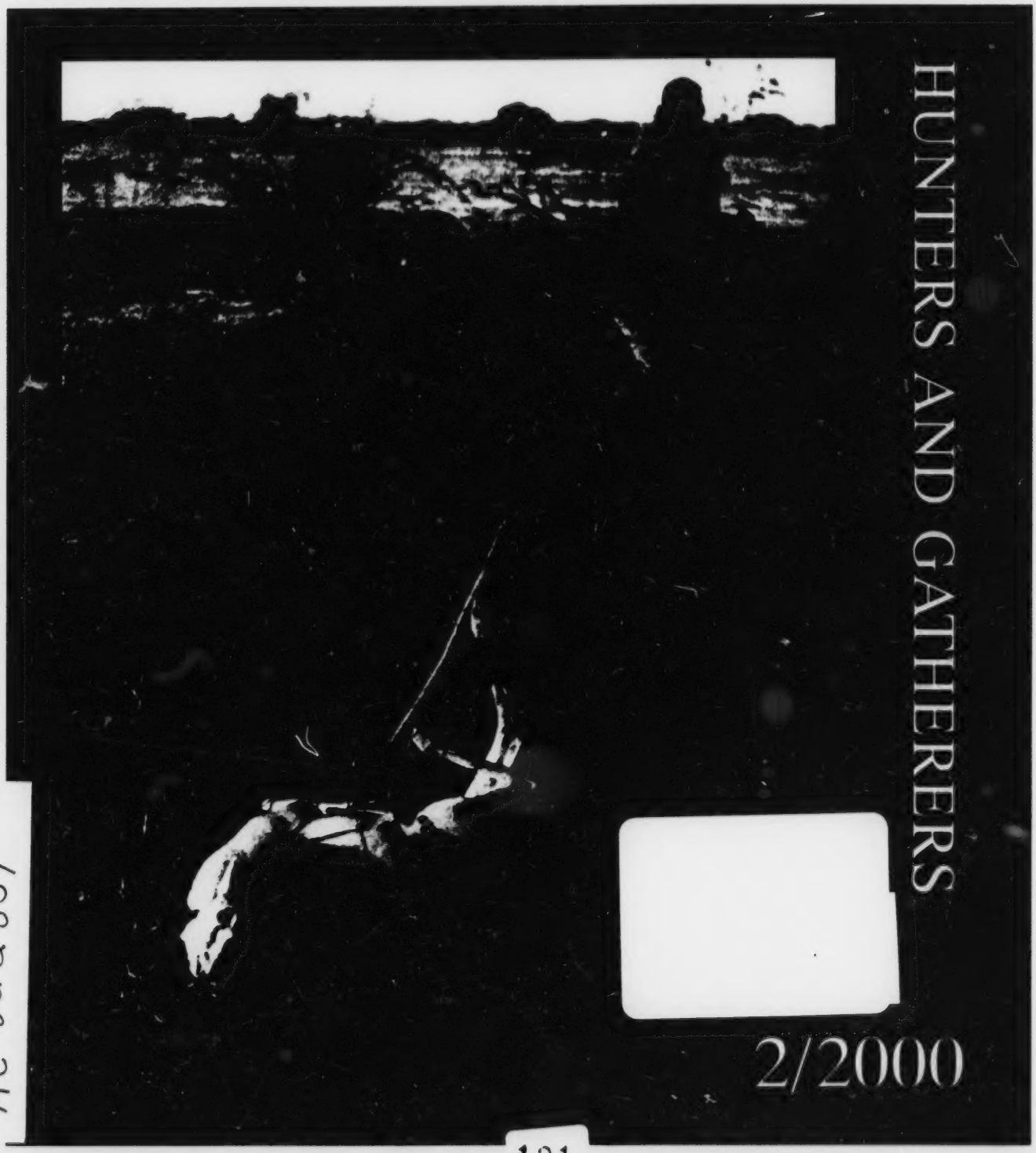

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Cover photo: *Haddad hunters and their bag. The net owner has clubbed and cut the throat of the gazelle, his partner stands with sticks used to lure the game into the nets. Some of these can be seen in the background. Photo: Ida Nicolaisen.*

For ninety-nine per cent of human history we have been hunter-gatherers. Any other way of life is a very, very recent phenomenon. Hunting and gathering have thus been a part of us ever since the start of human evolution. Our common heritage as hunter-gatherers and how essential this life form has been in making us into what we are seems, however, to be forgotten and lost to most people today. And the few remaining hunter-gatherers suffer accordingly.

The term hunter-gatherer is applied to groups who primarily gain their subsistence from hunting wild animals (marine and terrestrial), fishing and gathering of wild plants and shellfish. By reserving the concept to groups who culturally, spiritually and in their social organisation are focused on hunting and gathering for subsistence and as a way of life, we conceptually separate these groups from, for example, hunting specialists or wild food collectors among agricultural peoples or hunters for sport in the industrialized world.

Today there are only a small number of societies (probably less than 0,001% of the world's population) in which hunting and gathering still dominate everyday life. Yet, hunter-gatherers are to be found in most regions of the world: in Africa, in Asia, in Australia, in the Arctic and sub-Arctic as well as in the Americas and from the high Arctic to the tropics hunter-gatherers survive and continue their way of life, falsely perceived by some as isolated relics from an utterly primitive stage in human evolution. But today's hunter-gatherers are not isolated survivors nor the direct descendants of the first humans. We are becoming increasingly aware that the pre-history and history of hunter-gatherer societies is rich, complex and full of surprises. And far from being isolated these groups are, and have been for ages, engaged in important exchange relations with neighbouring societies, ranging from trading wild food and selling their labour to offering ritual expertise and healing. Varying degrees of integration into regional economic and political systems has existed for a long time and is increasingly common.

This issue of Indigenous Affairs presents cases from almost all regions where hunter-gatherers are to be found today: Africa – west, east, central and south; Asia – south and southeast; Australia, the Arctic and sub-Arctic as well as the Americas.

As becomes evident from a number of the presentations, the groups concerned are best understood when we also study the colonization of their territories and subsequent events and processes in post-colonial times. Fom a photo reportage in a glossy magazine, for example, the naked, exotic and hostile Jarawa may appear to some as a highly anachronistic stone-age type of society, while the careful analysis presented here enables us to see Jarawa strategies and reactions as a legacy of colonial and post-colonial policies in India.

In many respects hunting and gathering could be described as a modern and well-suited life form. These groups live on and off the land and the sea, in most instances with relatively little damage to the surrounding environment. Their adaptation may be the only option available without having to rely totally on imports to subsidize human presence in certain environments. They have their own territories and intimate knowledge of the environment and the life forms surrounding them. Hunter-gatherers are flexible and versatile and often turn out to be quite eclectic in their choice of subsistence strategies. Current groups range from those who are almost entirely unplugged from the larger society to those who will have the pick-up truck as a primary tool and successfully market their bush food for the sophisticated tastes in the larger cities.

There is no reason to over-romanticise the life of hunter-gatherers or, for example, depict them as some sort of model eco-angels. They have their malpractices and problems like everyone else. And yet, most of the groups have survived in their environments for millenia. On the whole - it makes sense in this world to stick to such a life form. And many of the principles underlying their adaptation match the aims we have in mind when discussing the urgent need to

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radically change the life-destroying principles and practices of modern industrial societies.

Hunter-gatherers have shown a remarkable resilience and will to survive and thrive. It is important to stress this, as will become apparent in the following articles. Sadly, the presentations can stand for the predicament of the whole range of remaining hunter-gatherer societies as well as that of indigenous peoples in general. The life situations of the hunter-gatherer groups presented here reads like a catalogue of horrors: loss of land, loss of title to resources, diminishing land base, lack of security of tenure, marginalisation, forced resettlement, eviction from protected areas, destruction of ecosystems, domination, subjugation, exploitation, lack of recognition as peoples, exposure to serious health hazards, victims of surrounding wars and conflicts, ethnic cleansing, forced changes of their way of life and also loss of language, knowledge, spirituality and traditions. The few remaining hunter-gatherer groups are faced with a series of deeply serious problems.

Some decades ago protests regarding the fate of these groups were primarily voiced by hunter-gatherers in the Western hemisphere such as the Inuit and Indians of Canada and Alaska and the Inuit of Greenland, as well as by a few researchers and human rights organisations. Alongside the global growth of the indigenous movement and organisations, hunter-gatherers are also increasingly coming forward and protesting against the problems they face. Most hunter-gatherer societies are known to be strongly egalitarian and to emphasize respect for the individual; there are seldom positions of institutionalised leadership. This has been seen as a potential serious impediment to the hunter-gatherers' need for self-organising when having to face up to the threats their communities encounter. Apparently such problems are being overcome: the World Council of Whalers, the Union of Marine Mammal Hunters in Russia, the Inuit Hunter and Trappers Association, land management groups in Australia, the Communauté des Autochtones Rwandais (CAURWA) in Rwanda, and the Programme d'Intégration et de Développement du Peuple Pygmée au Kivu in the Democratic Republic of Congo, all presented in this issue, are only some of many hunter-gatherer organisations operating today. These organisational efforts are essential for hunter-gatherers in order to be able and allowed to make an impact on decisions pertaining to their future and to the development in their areas. In many parts of the world, various types of NGOs and individuals are doing valuable work together with hunter-gatherer communities in order to protect their lands, resources and way of life.

All the articles in this issue review recent developments in a number of hunter-gatherer communities and thus add significantly to our knowledge and understanding of their current situation. Some of the articles report on how general development trends such as the alarming rates of forest loss and deforestation in Asia, Africa and South America, are closely related to the serious consequences faced by a number of smaller local communities like the forest peoples of Equatorial Africa, the Batek, Orang Rimba or Kubu, and the Negritos of Southeast Asia. Other articles present groups like the Haddad of Chad and the Jarawa of the Andaman Islands that seldom even appear in specialised research literature. The article from the Chaco area in Argentina reports on groups many thought were extinct. Yet, unable to continue their life form they now look for rights as indigenous communities. A review of the situation of the Pygmy groups of Equatorial Africa contains information on both the very well known groups and those we hardly have had any information about for decades. Tom Mexsis Happynook provides a review which not only relates his own and his people's history on whaling and relations to nature, but also a fresh updated comparative review of indigenous whaling and resource management with news from both distant communities as well as the international political settings in which the future of whaling and whaling communities is discussed. Through Brody's article we are reminded of the immense loss to humanity that is happening by way of the erosion of languages - a thought provoking argument which has relevance for all places where hunter-gatherers are living. Young's article on contemporary indigenous subsistence in Australia is one example of the need to break down obsolete conceptual barriers between the modern and the traditional in hunter-gatherer societies. She also stresses a theme recurring in several of the articles - a remarkable survival capacity in spite of long term and persistent attempts to degrade or even wipe out hunter-gatherers' way of life and their religion and how their spiritual relations and obligations to the land is part of their way to maintain the environment.

IWGIA has a longstanding commitment to bringing attention to the predicament of groups like hunter-gatherers, to publish, to engage in human rights work and project activities. Some recent examples are projects entailing capacity building and organisational efforts among so-called Bushmen in Botswana, but also among the new Pygmy organisations. A document on the Twa around the Kahuzi-Biega National Park in the Democratic Republic of Congo is in the pipeline for publication and our list of publications includes a number of documents that solely or partly deals with hunter-gatherers. Our most recent document (no. 98) outlines the serious problems faced by the Hadza, a hunter-gatherer group in Tanzania. Just as the Hadza document was published we received the sad news of the untimely death of Bwire Kaare, the Tanzanian anthropologist who spent so much time and effort in studying the Hadza and lobbying for the protection of their rights. The loss of a fine researcher and a human rights defender reminds us not only of the fragility of human lives, but also of how much we still have to learn of the few struggling hunter-gatherer societies that remain in this world and how little we can afford to loose them. ❑

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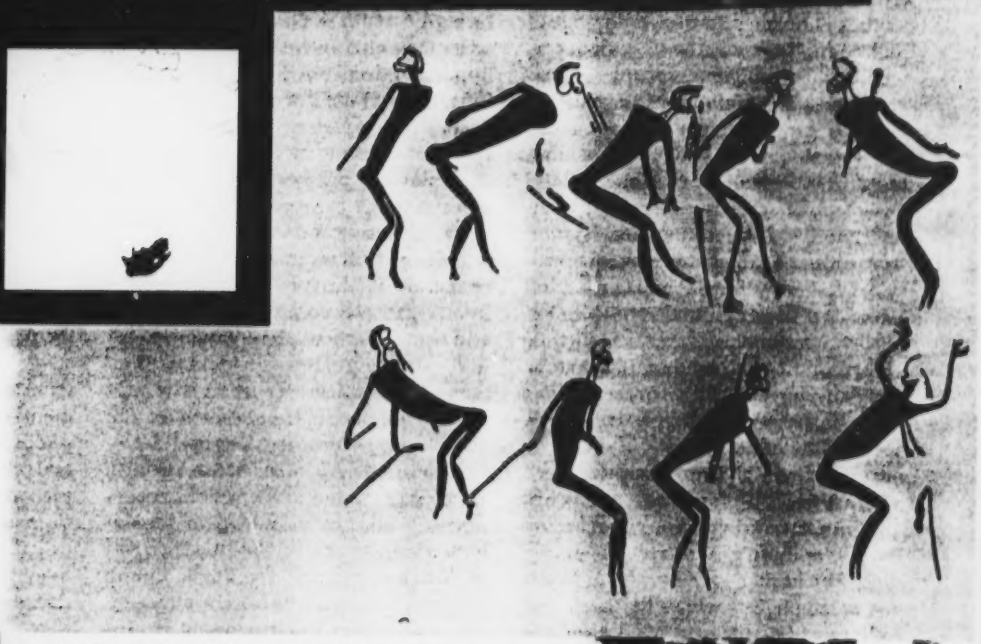
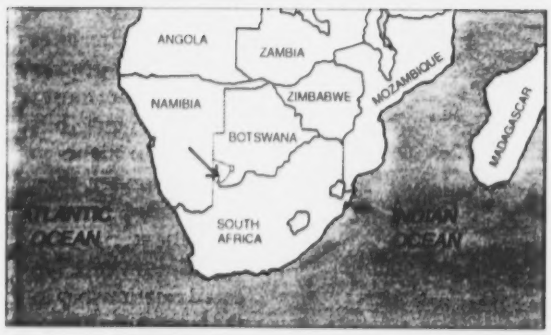
TAKING THE WORDS FROM THEIR MOUTHS

By Hugh Brody



Petrus Vaalboi (centre, by window) attending the Arusha Conference, January 2000. Photo: Diana Vinding

Human beings make about 160 different sounds[1]. This, say the linguists, is the sum of the vocal elements of all the world's languages. English, one of the more complicated vocal systems, has about 55 of these sounds. Norwegian has 75. The Bushman or San languages of the Kalahari have more than 145. In the words of Tony Traill, an expert on southern African linguistics, the San are the great acrobats of the mouth. In their campaigns against tribes, in particular against hunter-gatherers, the colonists have despised them for the very sounds of their voices and, with curious determination, have sought to eradicate their languages. As if the mind of the tribe were itself the enemy.



Loosing the tribal languages

Throughout the world, there has been a drastic loss of tribal languages. Some linguists estimate that some 5,000 languages or distinctive dialects have faded away this century. In the Americas alone there are more than 1,000 languages that have disappeared or reached the brink of extinction in the past 30 years. With the expansion of schools and other homogenising social processes, the pace of this loss has accelerated; and it continues. The loss of these ways of speaking and of knowing the world is a diminution of the collective human mind: a loss of genius that may well be irrecoverable. It is also a cause of intense grief and disorientation to hundreds of thousands of tribal men and women, who struggle to be themselves without the words to say what that means.

In southern Africa, Dutch settlers dismissed the KhoiSan ways of speaking as 'gibberings of monkeys'. In the forests of India, missionaries noted that much of the language was 'gifted with a clicking, harsh, heavy pronunciation peculiar to all barbaric tongues'. In Australia, Aboriginal ways of speaking were often described as 'less than human'. In both the United States and Canada, those concerned to deal with 'the Indian problem' in the nineteenth century resolved that 'those barbaric tongues' would be eradicated, making way for the English that 'all who are civilised can understand'.

Ethnic cleansing and genocide are often said to have been the special curse of the twentieth century. But in their original form, as a war of settlers against tribes, of farmers against hunters, they have been a grim part of the history of human settlement for thousands of years. And ethnic cleansing has been the experience of all the indigenous and tribal peoples wherever agricultural colonialism has advanced. Using steel, horses, germs, guns, courts, churches, schools and parliaments - in whatever combination or sequence worked best for each particular invasion - those in the old world hungry for new lands have invaded the territories of the peoples of the new world. New only to us, of course.

The removal of the great tribes from Georgia in the American southeast was debated, litigated, preached and promoted before they staggered out to the so-called Indian territories of the western plains in what became known as the Trail of Tears. And from the European capitals came instructions to colonial governors that resulted in the laundering and bleaching of the colonies of Africa, Asia, Australia and all the aboriginal domains of the Pacific, as well as every part of the Americas.

The Europeans' assault on tribal languages is well documented; and most persistent when its victims have been hunter-gatherers. These were the tribes whose ways of life meant they were spread far and wide across settlement frontiers. There seems to have been a compulsion to achieve, in these places, a final and decisive silence. Holocaust was not enough; the decimation of populations, eradication of whole cultures, relocation of communities from lands the settlers wanted to those they did not, confinement of the survivors of these projects in tiny 'reserves' and 'reservations' and 'homelands' did not achieve a silence that was quite absolute. There were survivors, adults and children, who could maintain the traditions, attitudes and idioms of the tribe. The administrators of indigenous lands and societies, the imperial arbiters of tribal fate, sought to put an end to these voices. The sounds of the chattering monkeys, barbaric tongues and less than human vocalisations would cease, to be replaced by English or Spanish, Portuguese, French, Afrikaans: any language of 'civilisation'.

The voices of the tribes

Tribal people often say that to have stories about a land is to own it. The continuing voices, using the languages that carry the stories, that hold the knowledge, that sustain the links with the spirits, are a permanent

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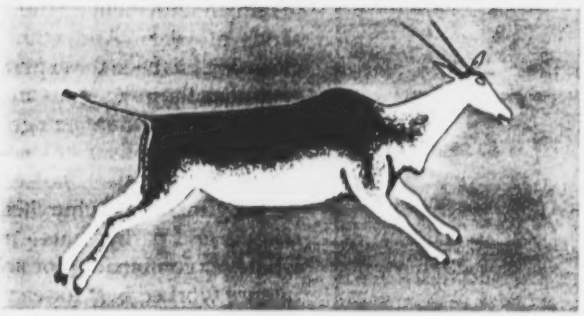

challenge, a rival title deed to the territory. They must be silenced.

The voices of the tribes of our 'new worlds' contain their own way of owning, knowing and caring for their lands. Their stories are both a form of resistance and a record of what has taken place. Their ways of speaking and their forms of knowledge represent some of the oldest and richest expressions of the human mind. Their silence has a poignancy that reaches deep into the history of the world and the fate of the human mind.

All this means that within many nation states there are ways of life, whole cultures, albeit pressed to the margins of both geography and society, whose existence is shaped by a bitter paradox. On the one hand, these are people whose presence on particular territories reaches back to a time when nation-states did not exist: they are the original, indigenous dwellers and can claim priority and rights that transcend those of all who are relative newcomers to their lands. But they live at political, legal and geographical margins, deprived of many of their richest resources and denied rights to their heritage, if not to life itself. This paradox, the depth of historical claim alongside extreme colonial exploitation, defines the tribal peoples of the world.

In the 1960s, eruptive liberation movements were emerging among tribal peoples and the story of this paradox was being told with new force. In Canada, the great Shuswap leader, George Manuel, coined the expression 'the fourth world' to define a communality of tribal interests. His vision was of emerging nations, not broken communities. The tribes, in his view, were nations within nations and should be recognised as such. But he also said, repeatedly, that the colonial assault upon the fourth world was most clearly to be seen in attacks on cultural heritage and language, both institutional - by missionaries, local government officials and schools - and more subtly subversive as in the racism of frontier settlers and the discriminatory routines of everyday life.

Since the work of Frantz Fanon, intellectuals and activists have been alert to the way in which this combination of racist forces - the institutional and the routine - works its way into the lives and psyche of tribal people. Those who endure protracted colonial oppression internalise the attitudes of those who oppress them. The anger of tribal people is intense, but often directed inward. And they fall into a deep silence.

No wonder, then, that the surviving descendants of these tribes, the men and women whose oral heritages carry the stories as well as the scars of these relentless and merciless events, have an intensely difficult and complicated relationship to their own voices. They often speak the languages of their oppressors and have absorbed the lessons the oppressors have addressed to them: indigenous customs, history and ways of speech are matters of shame. They witness in their daily lives the continuing discrimination and disdain that are shown toward them. So how can they speak? And to whom? Many tribal peoples have survived by remaining hidden, silent and unnoticed, at the remotest margins of the colonial world. They have judged it unsafe or unwise to raise their heads and voices too high above the parapets behind which they have been able to conceal themselves. Who out there is going to listen? Who knows how to listen? So silence is appropriate in many ways, but this silence can also be deep within the psyche as well as a matter of wise strategy. Shame and grief, accumulated from generation to generation, can tie the tongue tight.

Breaking the silence

Yet the silence, in many parts of the world, is being broken. Land claims movements, cultural revival, anti-colonial protest, a refusal to disappear. Tribal voices are making themselves heard, talking within their families, to their children and grandchildren, about their own lives. Their stories celebrate distinctive kinds of knowledge and speak of everyday events in their own lands. They are assertions of pride and rights: to know their place is to claim it, whatever the colonists might say.

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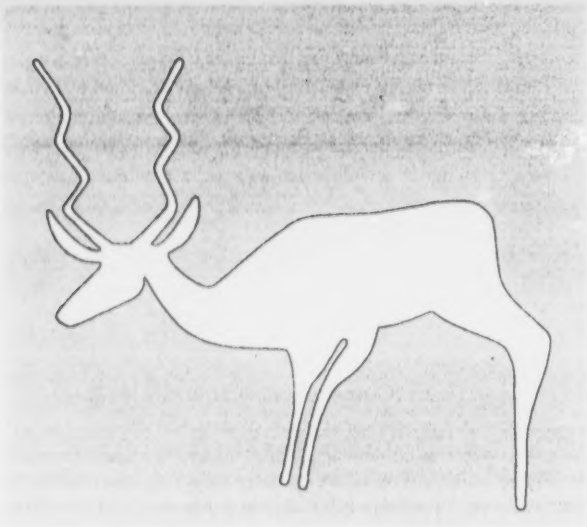


But this is only a glimpse, an echo of the assertion of tribal rights and voices worldwide. We could be hearing from the people of West Papua (Irian Jaya), who have struggled for a generation against a murderous invasion of their lands and lives by Indonesian settlers and military. In Sri Lanka, the Vaniall-atto, former inhabitants of the entire island now reduced to 2,000 people, are fighting for their rights. In Australia, Aborigine groups are defending every part that remains of their heritage and lands, bringing their stories to the courts as well as to one another. Throughout Latin America, indigenous peoples are raising their voices in order to keep their voices - defying the genocidal process that began with the arrival ot the first Europeans and has reduced their numbers and languages by about 90 per cent.

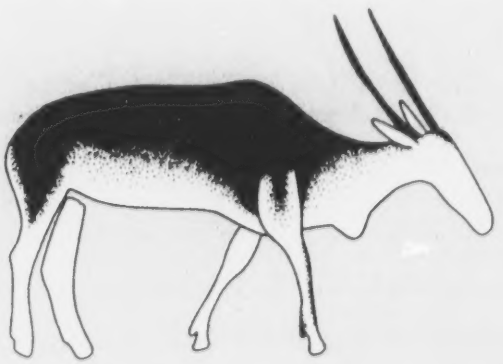
There are many kinds of tribal peoples. Perhaps we can all claim some form of tribal membership, some community to which at times we say we belong that is not our national identity. In many countries there are populations, subcultures that are stigmatised by a dominant group as dark, unclean and dangerous. These are the 'others' who have the task of defending their heritage and, at times, their very homes against many forms of aggression. They too can be the victims of ethnocide. They include, of course, the people for whose fate the modern expressions 'final solution' and 'ethnic cleansing' were coined. In many ways, and at particular points in their histories, Kosovans, Bosnians, Kurds, Armenians, Gypsies and Jews (to name but a few) have suffered brutal forms of prejudice and dispossession. And their voices also have been suppressed. Perhaps they can make common cause with the tribals who live the paradox of earliest claim and least status. Their experiences, and therefore their voices, will sound familiar to all who have dealt in the struggles of indigenous populations.

The resurgence of tribal voice has to do with both land and language. For tribal people, the connections between language and land are self-evident: they have always been there; their knowing these places is inseparable from their economic strength and their right to be there. They are where the battle takes place. From the point of view of settlers and their nation states, these are marginal, infertile territories. (Though some of them now turn out to be rich in minerals, making a new colonial bid for some of the remotest of tribal territories.) They are the lands where tribal peoples have been able to endure, beyond the most aggressive incursions of the colonists. They are languages that somehow 'belong to the past'. So it may seem that the battle for tribal land and language is a peripheral issue, a quaint skirmish at the very edges of relevance. But these voices speak for a vast sector of human history, reaching into aspects, if not the histories, of us all.

It may also seem that tribal demands are anachronistic appeals against irreversible modernity. That they are disingenuous: most tribal peoples embrace the new, seeing opportunities as well as dangers, taking their place, therefore, as actors and riot victims even within the colonial frontiers. But modern tribals are not arguing for a reinstatement of the past. Rather, they seek to have their own resources with which to prosper in the present. With the lands and languages that are indeed theirs, they can live with every kind of opportunity and the strengths of both culture and individual health. This is true for Nunavut, the new Inuit territory within Canada, as it is for the =Khomani [2] deal with South Africa in the Southern Kalahari. Even at the margins of modern nation states, in the regions that are left to them, they, like everyone, need to live from the centre of themselves.

Resurrection: The example of the =Khomani of the southern Kalahari

Anna Kassi: *'Yes, life. How does life move? Does it run straight? Or does it run askew? ... If the Boer talks to us, we must talk Afrikaans to him, and shoot the language. Yet it's the nicest language. These children will speak ... That child, shoots out with the language.'*



Andries Oleyn: *'That is why it is I who sit here ... He who seeks the land of his mother and father and grandfather ... where we walked where we wished ... before the farmers came to trap us ... that is why we are fighting over this thing. We fight for our land.'*

The dry veldt and deserts of South Africa were the lands of the Bushman, now known as the San. Five hundred years of settlement and colonialism, first by Bantu-speaking immigrants from within Africa and then by heavily armed Europeans, who dispossessed and silenced the San. Vast cattle and sheep farms replaced their network of gathering and hunting territories, their camps and communities, their animals and the very environment. Many thousands of San were taken into forced labour, imprisoned (they were the first inmates of Robben Island), hunted down and killed. The farmers' frontier pushed ever further north, across the Karoo, up to the Orange River and, in the twentieth century, to the Kalahari. Brains that understood domestic animals and a rugged low church Christianity prevailed. An immense encyclopaedia of knowledge of those places - of their water, plants, animals, dunes and spirits - was wiped out. Many languages of the San, each carrying the stories and mysteries of their world, disappeared.

Elsie Vaaiboi: *'I loved the Bushman language ... If I think about it now, my brothers could all speak Bushman, they all spoke it. But just when the bread came, then it was, "Yes Ma'am, yes."'*

Elsie Vaalboi was born in the early 1900s in the southern Kalahari. She spent most of her adult life as a servant on white farms. Her people, the =Khomani, are the last San society of South Africa, the survivors of the Bushman holocaust. In the 1970s, both the apartheid government and experts on Bushman cultures decreed that the =Khomani had ceased to exist. Linguists announced that the language had died out.

Elsie Vaalboi knew the =Khomani language. But her children didn't, nor did her neighbours. She believed she was the last =Khomani speaker on earth.

Elsie Vaalboi: *'Nothing, nothing. There was nothing, just the bare sand dunes. That's what I don't know - if we scooped up water to drink. We were such naked Bushmen. I just know I ate tsama's and I eat cucumber, and I eat this thing, and that thing. I didn't know about tap water. Now that I'm so old, now I must find out. In those days, in the Kalahari, we lived without tap water.'*

Petrus Vaalboi: *'Here I sit without my mother's language, without my father's language. I am powerless. I only have Afrikaans. I am out. I feel sometimes like an exile. That, that is the sadness. Then you feel how painful it is, if you are without the language. If I could have spoken it ... but I couldn't. I can't. And now, now we have the chance. With the government, to begin to move.'*

Claiming their land and saving their language

In 1997, one of Elsie Vaalboi's sons, Petrus, began to work with the South Africa San Institute (SASI), a tiny NGO in Cape Town. They met with =Khomani families who were squatters at Welkom, a community at the edge of the Kalahari Gemsbok National Park, selling crafts and photo opportunities to passing tourists.

Working with Roger Chennells, a human rights lawyer, SASI decided to claim the =Khomani lands. Elsie Vaalboi recorded a message in the =Khomani language, addressed to the Mandela government. Perhaps there was no one in the world who would understand her words, but in Afrikaans she explained: the time had come, she said, for the Bushmen to recover their lands and their lost language. The Boer had to move aside and let the Bushmen live again in their real homes.

SASI began a search for =Khomani survivors. They also looked for speakers of the language. In 1998, they went to Swartkop, a sprawl of shacks and cabins 10 kilometres from Upington, the principal town of the Northern Cape. They had heard that there was a =Khomani family living there. They met four women, three sisters and their first cousin. They were thin and frail, in their late sixties and early seventies. They were Bushmen, they said, and they spoke their language. They listened to Elsie's tape. They were amazed and delighted and recorded a message in reply. Yes, they said, they too spoke 'Boesmantal'. And yes, they said, the time had come to fight to get back their lands and to save their language.

SASI took the Swartkop tape to Elsie. She discovered that she was not the only speaker in the world, for the first time in many years she heard her language. She sent a reply. *'If you really do understand my language, then you understand this. We cannot live with the Boer. We must get our land, and live again as ourselves.'* The search for the =Khomani diaspora continued. By the beginning of this year, 15 speakers of the language had been found - at the edge of coloured townships, as isolated workers in shacks beside white farms, at the margins. They met, they talked, they shared hopes. And they became the centre of the land claim.

Family by family, the =Khomani put together the events of the last 50 years. They went into the Kalahari Gemsbok Park, where many of them had lived and from where they had been expelled. They went to the places they loved and had known best. They pointed to trees they knew, the graves of their relatives, the best places for each kind of

plant. They made lists of =Khomani names for everything. And they set out their grief, and their determination to get back that which was theirs, both land and language.

/**Una Rooi:** *'I was born here. Here, when I was very young, my grandmother, my father's mother, cut my umbilical cord for me. And there, in the veld, she gathered for me… This is where we lived, where my mother's house stood. I can still see it today, how that place looked. And I become so heartbroken when I look up, out over the branches of the tree ... My tree, my tree, my tree. How could they not have thought that there would be people who would come back to stand under my tree. My mother buried my cord here. I want so much to take care of my tree.'*

Andries Oleyn: *'There I was born, there I started to become a human being ... Those days I lived just like I could and only on my mother's breast ... Then come the understanding, it started to come. Because when I got my understanding completely, I was already among the farmers, the Boers. Then already the farmers scattered us here and there ... And the farmers, they chased us one by one like sheep ... what were we to do?'*

/**Una Rooi:** *'They burned out our homes ... Then my father asked him, "Sir, why? Where do you think we must live?" Then he asked my father, "What do you want to do? You are worth nothing, to ask why." Then he kicked my father ... When my father fell, there were four constables and two of them had him by the arms and two by the legs ... Then we ran. And I was always very fond of my brother... my brother and I ran and said, "Ma." When my father fell, then my mother stood ... and said, "Sir, how can you? That's not a bad word that the man said. He just asked why you were burning our home." And then he said, "Now listen here, meid, on the road." They took my father to prison ... And he died, he died. A good man, my father, and killed.'*

Here is your land...

By the beginning of 1999, the =Khomani San demand was taking shape. On the basis of the South African government's land claims legislation, which states that anyone displaced or dispossessed since 1913 by racist laws or procedures can seek restitution or compensation, the =Khomani claimed the Kalahari Gemsbok Park and adjacent lands. After difficult and complex argument, the claim was accepted.

On 21 March 1999, then deputy president Thabo Mbeki, along with minister of land affairs Derek Hanekom, travelled to the Southern Kalahari, and met Petrus Vaalboi, Dawid Kruyper, the Swartkop sisters, along with many others. At a formal ceremony they signed an agreement, giving the =Khomani rights to some 50,000 hectares of land within the Kalahari Gemsbok Park and 40,000 hectares outside the park. The details of the agreement are still under negotiation - including the role the =Khomani will play in management of the park, their role in tourism and the creation of a new village site.

Thabo Mbeki: *'We shall mend the broken strings of the distant past so that our dreams con take root. For the stories of the Khoe (Nama) and the San have told us that this dream is too big for one person to hold. It is a dream that must be dreamed collectively, by all the people ... It is by dreaming together - by mending the broken strings that tore us apart in the past - that we shall all of us produce a better life for you who have been the victims of the worst of oppression. It is now my place to say.. Here is your land. Take it, look after it and thrive.'*

/Una Rooi: *'/Aise.' 'Thank you.'*

Notes:

[1] IWGIA acknowledges the permission given by *Index on Censorship* to reprint this slightly revised edition of two articles by Hugh Brody published in their issue No. 4, 1999.

[2] The symbols / and = are used to show the click sound for which San languages are famous.

Hugh Brody *is an anthropologist and filmmaker. He has lived with hunter-gatherers in the Arctic and Sub Arctic, and is now working with the San community of the Southern Kalahari. His books include* The People's Land, Living Arctic *and* Maps and Dreams. *He was a member of the World Bank's Morse Commission in western India.* ❑

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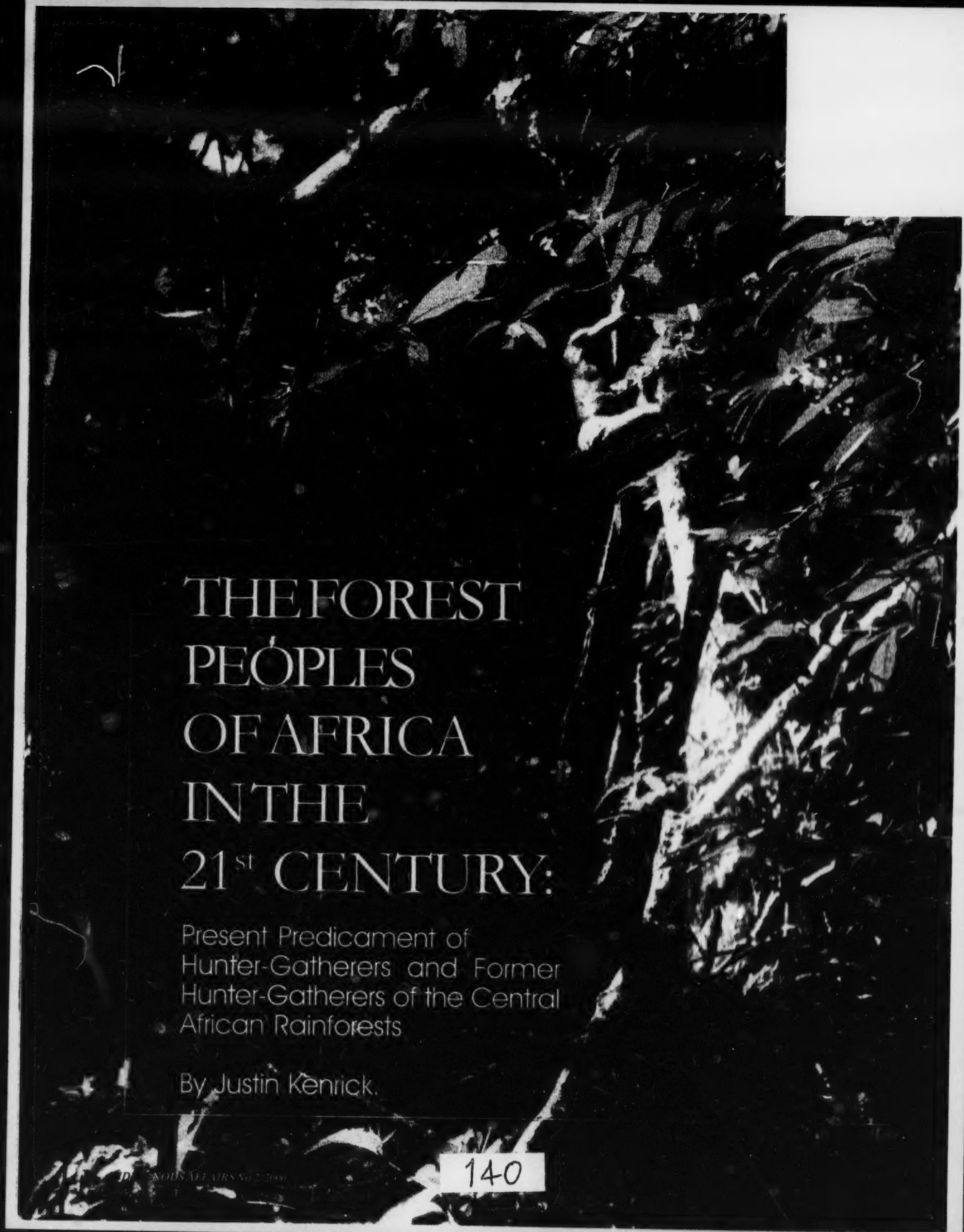

THE FOREST PEOPLES OF AFRICA IN THE 21st CENTURY:

Present Predicament of Hunter-Gatherers and Former Hunter-Gatherers of the Central African Rainforests

By Justin Kenrick.

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Introduction

This article is intended as a brief summary of the current situation of the Forest Peoples (or 'Pygmies') of the Central African rainforests. In all they probably number between 250,000 and 300,000 people, and their situation varies tremendously [1].

There are two distinct ways of looking at their marginal situation. The first is in terms of the severe discrimination which they can suffer at the hands of their farming neighbours and others; the second is in terms of the resilience and strength of their egalitarian social system. Severe discrimination is most evident for those groups which no longer have access to their forest resource base, but it is also a powerful enduring theme, and often a dominant one, for Forest-based groups in relationship to neighbouring farmers. Examining their situation primarily in terms of discrimination may be crucial for those groups who no longer have access to forest, but using this approach in relation to Forest-based hunter-gatherer groups often leads to approaches which seek to divide hunter-gatherers from their farming neighbours, often in the context of evangelising attempts to make them give up their own beliefs, and attempts to sedentarise them so that they will become farmers. Thus simply focusing on the discrimination they experience can obscure the strengths of their own cultural and social forms.

Where the forest continues to provide them with an independent resource base, it also provides the context for the beliefs and experiences which underpin an economy of sharing and a political system which is essentially fluid and egalitarian. In this context, Forest Peoples are, to varying degrees, able to exert some or great autonomy in determining the nature of their interaction with their farming neighbours and with the more recent incomers to the forest. Where their resource base has long been destroyed or denied them, whether through deforestation or through the control exerted over them by neighbouring farmers, by missionary settlements, or more recently through conservation projects restricting or denying their access to the forest, they have often been reduced to virtual serfdom and poverty. Both the infrastructure for logging concessions and other agents of deforestation and the financial backing for conservation projects have often been funded or supported by the World Bank (for example through the Global Environment Facility) and other international agencies. Where Central African governments tend to see such Forest Peoples as needing to be sedentarised - both for tax and control purposes, and in order to ensure that the rest of the country is not stigmatised as backward by association with such people – the actual work of sedentarisation is often carried out by Western / Northern NGOs and missionaries, and indirectly facilitated by the destruction or protection of the forest.

Those Forest Peoples whose forest is still largely intact spend some of the year hunting and gathering in the forest, and some living near farmers' villages and working in their fields. They now also tend to work for a while for logging companies, conservation projects, safari hunters or large commercial meat traders. However they can also vehemently denounce the consequences of such activities once they become apparent. They can also bitterly resent their access to the forest being controlled or denied by governments' sedentarisation policies, by logging companies or by conservationist restrictions. The three largest groups of Forest Peoples who still, to a great extent, retain their forest resource base are: the Mbuti (or Bambuti) and Efe of the Ituri Forest in the DR Congo, the Baka of southeastern Cameroon and northwestern Congo Brazzaville, and the Aka (or Ba-aka) of northern Congo-Brazzaville and the Central African republic.

Farmers have generally had an ambivalent attitude towards these hunter-gatherers: sometimes viewing them as slaves and barely human, and sometimes as equals or even as the original civilising beings. Where, in the past, these hunter-gatherers have been crucial to farmers, enabling them to benefit from forest produce, protecting them from forest spirits, and ritually ensuring the fertility of their fields, today in many places the forests have dwindled in importance and as a result such hunter-gatherers and ex-hunter-gatherers have become marginalised and severely discriminated against. Where their universally acknowledged status as the original inhabitants of the forest once served in some areas to underwrite their autonomous forest life and their ability to relate to others as equals, that status is often now seen as a symbol of their backwardness. Any prior rights to resources which they may have had has been overridden, first by colonial and then by national governments who have tended to completely ignore traditional systems of land ownership.

However, as well as focusing on the three main groups of Forest Peoples who still, to a great extent, retain their forest resource base, it is important to

Left: Mbuti man climbing for honey. Photo: Robert Grantham

include in our picture the other groups who, until recently, have been much less well known to the world at large. Western indigenous rights NGOs working with indigenous peoples (in particular Dorothy Jackson of the Forest Peoples Programme, and Jerome Lewis working with FPP, IWGIA and MRG) have increasingly been focusing on the plight of the – until recently – less well known Batwa 'Pygmy' groups in Rwanda, Burundi, eastern DRC, and southwestern Uganda, and also on the future of the Bakola of southwestern Cameroon. The recent political upheavals and civil war in the region have had an especially severe impact on the Batwa of Rwanda, Burundi, and eastern DRC; and on the tiny group of Basua (numbering perhaps 65 – 70 people) in western Uganda, and has accelerated the ongoing marginalisation of these groups who are mostly former rather than present day hunter-gatherers. The ongoing logging in southwest Cameroon and the likely construction of the Chad-Cameroon oil pipeline may have a similarly devastating impact on the Bakola there.

As well as seeking to convey a broader picture of who constitutes the Forest Peoples (or 'Pygmies') of Central Africa, this article also seeks to point out that the situation of such peoples varies tremendously within each locality. The question is not simply 'how can we enable such peoples to reclaim the political space to determine their future?' The question is also 'how can we encourage those aspects of their local relations which look to their long term future, and how can we be encouraged to look to our long term future through better understanding the situation of the Forest Peoples of Central Africa?'

Mbuti checking hunting nets. Photo: Robert Grantham

INDIGENOUS RIGHTS IN AN AFRICAN CONTEXT

Who is speaking, and for whom?

There would appear to be two levels to the process underway in relation to Central African Forest Peoples. On the one hand there is the beginning of networking between some of the groups at a national and an international level, partly facilitated through activities of Northern NGOs seeking to support such groups so that they can represent themselves and make demands at a national and international level. On the other hand there is the underlying question of who is claiming to speak for whom?

1. *Western Involvement:*
   Unlike the question of indigenous rights and who is indigenous in South America for example, the situa-

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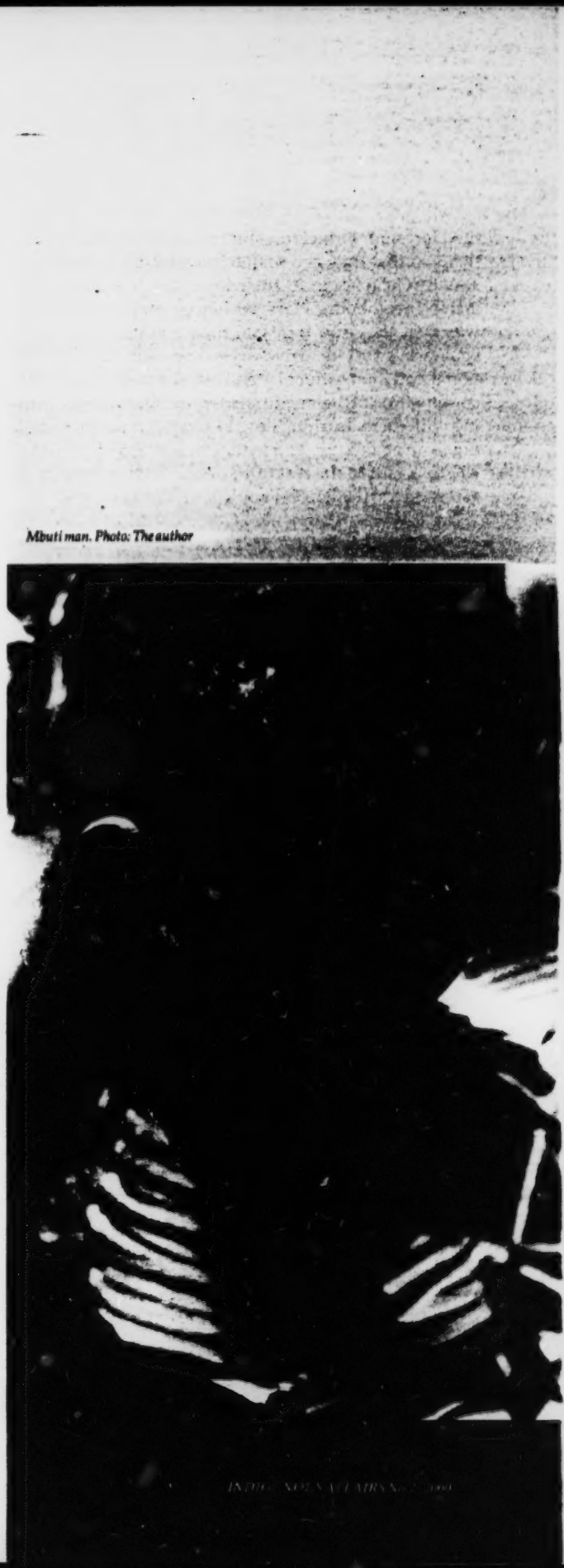
tion in Africa is more complex and therefore there needs to be a more complex examination of Western involvement. For example: is our support for the rights of Central African Forest Peoples' rights based on a notion that they are more truly 'indigenous' than their farming neighbours who in many cases may have existed alongside them in the forest for as long as the hunter-gatherers themselves, is it based on a recognition that they are an extremely powerless marginalised group, or is it based on assumptions we make concerning their present day or former status as hunter-gatherers?

2. *Indigenous Representation:*
   Given the existence of widespread egalitarianism amongst Central African hunter-gatherers and the lack of involvement in political decision-making, whether in relation to neighbouring farmers or local or national government, how can Forest Peoples establish a form of representation which can both reflect their concerns and enable them to reflect on what future they want to push for? For many groups, their traditional egalitarianism has tended to mean that those who claim to speak for a group to outsiders are those who are the least representative of the group.

Thus not only is there a need to create the political space to support such groups to enable them to withstand or respond to the destruction of their relationship with their forests, there is also a need to support them so that they can negotiate from a position of equality with those around them. Whether that be with their neighbouring farmers with whom they have traditionally either shared fairly equal exchange relations or been severely oppressed by, whether that be with those in charge of national parks, logging companies, and local or national government, or whether that be with people who have more recently moved into their areas.

The key point here is that there is a need to begin building the bridge from both ends. On the one side there is the urgent need to bring international attention to the plight of such peoples, and to encourage such representation as exists to speak out nationally and internationally in order to create a political climate in which their rights can be recognised and respected. On the other side a far longer term grassroots process is required to support Forest Peoples to find a way of enabling their traditional egalitarianism and inclusiveness to be expressed through, rather than overridden by, getting involved in national and international dialogue.

Creating the political space for Forest Peoples to regain the right to determine their future and the future of



Mbuti man. Photo: The author

their forests or former forest areas is vital, as is supporting them so that they can maintain or regain a position of equality in relation to their long standing or recently arrived neighbours. However, supporting them in such a way that they can translate their traditional forms of egalitarian and inclusive decision-making into the national and international arena may be just as vital to the continuation of their cultural identity. Likewise, in working with them, learning how to approach decision-making in an egalitarian and inclusive way may prove to be as important to the rest of us as the continuation of the forests are to the Forest Peoples.

Indigenous peoples or marginalised minorities?

Northern Indigenous Rights NGOs appear keen to stress that the key requirement for a people to be acknowledged as 'indigenous' should be their self-identification as such. This move to make self-identification the key requirement came first and foremost from the indigenous groups emerging onto the international scene between 1970 and 1990. It is an approach which refuses the right of others to define who one is: after all who would decide who fitted such a definition, if not those powerful forces against which indigenous people are already struggling? However, supporting indigenous rights in an African context is very different to South America. The majority population which surrounds and marginalises Central African hunter-gatherers would also identify themselves as indigenous vis-à-vis the 'departed' colonial powers, just as these populations identify the Forest Peoples as indigenous vis-à-vis themselves. If the term is to have any use at all in an African context then the identification of oneself or others as indigenous has to be seen as describing a relationship rather than a category: a relationship of belonging, certainly, and in all probability an experience of being dominated by those more intent on extracting resources from others and from the land than on maintaining a sustainable relationship within the social and physical environment.

Thus relative to colonial or neo-colonial powers, all Africans are indigenous, but relative to most of their African neighbours Central African forest hunter-gatherers are seen by their neighbours as indigenous, as the first peoples who truly belong to the forest and know how to ensure its blessings. Where, formerly, their farming neighbours relied on them to facilitate their relationship with the forest (whether through knowledge or through rituals), today the increasing domination of the forest environment is replicated in the domination and marginalisation of the Forest Peoples. This is a question both of power and of belonging. To support indigenous rights is both to support the marginalised vis-à-vis those who seek to benefit from disempowering them, but (at least as far as the 'Forest Peoples' are concerned) it is also to support such peoples' ability to relate in a fluid, inclusive and responsive way to each other and to their environment, a way of belonging that is grounded in equality rather than domination.

One could consider the same question from a different angle: why are some Northern NGOs so concerned about indigenous rights (as opposed to working with the same peoples simply through working on human rights or combating poverty and inequality)? On the one hand it may be a strategic way of supporting the disenfranchised, but is it not also that we too are seeking support vis-à-vis economic, social and cultural processes which we experience as disempowering (and potentially earth destroying), and that part of what draws us to work with people we characterise as 'indigenous' is in order to relearn a sense of belonging that is grounded in an equal rather than an instrumental way of relating to others and the environment? To pose this question is not to posit some idealised hunter-gatherer world, but rather to acknowledge that what we are seeking to enable (for others and ourselves) is an equality of belonging that recognises difference, not as a source of threat and a basis for hierarchy or domination, but recognises difference as potentially empowering, as an ongoing process of inclusiveness. A recognition that we are seeking support from those we are seeking to support, should enable a robust dialogue of equals where we can challenge and learn from each others' practices, rather than hide behind unaccountable notions of self-definition or static categories of who is and who is not indigenous. If we are to develop a robust, challenging and supportive dialogue between all those concerned with these issues – including hunter-gatherers and their neighbours, African states and multilateral bodies, Northern NGOs and emerging African indigenous networks - understanding 'indigenous' as being a quality rather than a category may be the only way of differentiating between motives and intentions grounded in an equalising process of belonging and those grounded in dominating and marginalising others.

'Pygmies' or forest peoples?

A further question is raised by the way in which this article encompasses peoples who have very different languages and who live thousands of miles apart. Some

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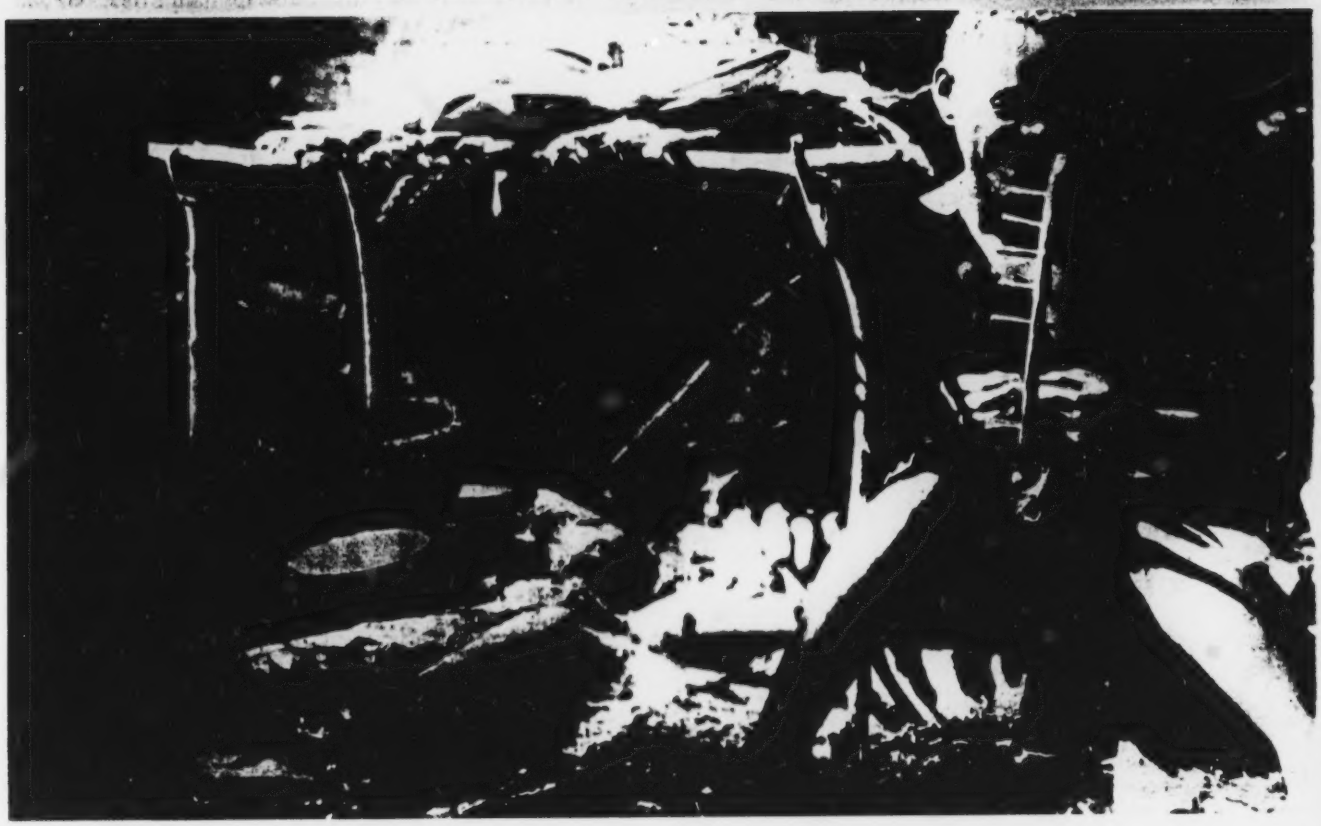
Mbuti man playing musical instrument, Ituri Forest, DRC. Photo: Robert Grantham



of these people use the term 'Pygmy' to describe themselves, however most use names which reflect their own local shared language and forest area and hear the word 'Pygmy' hurled at them as an insult by others. Furthermore, probably all Central African forest hunter-gatherers use the term 'Forest Peoples' as a way of describing themselves and other forest hunter-gatherers they know of, in contrast to those they describe as 'Village People' or farmers [2]. Only time will tell whether the use of the term 'Pygmy' will fall away as their individual situations are acknowledged or whether part of the process of empowerment will include asserting a shared identity as Forest Peoples and even possibly the use of the term 'Pygmy' as a way of asserting that what was despised must be respected. Some of those who are becoming aware of the international context are certainly starting to describe themselves as 'Pygmy' for this reason. The term 'Forest Peoples' is equally difficult. It appears to define peoples according to their environment, and to suggest that if the forest is destroyed, or if such people no longer live in the forest, then somehow they are no longer 'Forest Peoples', that they have a degraded identity. Clearly names carry political meanings, and in describing these people as 'Forest Peoples' there is political intent.

The intent here is to assert that these peoples have a right to their way of life, however they define it, and that they have the right to decide what happens to their environment; rights which multinational companies, national governments and their more powerful neighbours ought to respect. Although they may choose to farm or to work for logging companies, that should be their choice, not the only option they are left with as their forest is destroyed. To take as our starting point the intimate knowledge these peoples have of their forest environment, and their identification with the forest, is not to deny them the right to other contexts, nor to deny that their farming neighbours may also have such knowledge and have equal right to determine the future of their forest; it

is to acknowledge that these hunter-gatherers are in a politically weak position in relation to multinationals, national governments and their farming neighbours. It is to assert that they should have a clear say in their future and the future of their forest; and it is to acknowledge the difficulty of making a space for their voice to be heard given that their egalitarian political structures and particular context make it less likely that they will find the place or reason to speak out for their future in national or international contexts.

SITUATION OF THOSE FOREST PEOPLES STILL LIVING IN THE FORESTS

Background

Populations

To varying degrees groups such as the Mbuti (often referred to as the Bambuti) and Efe, the Aka (Ba-aka), the Baka, and the Bakola continue as hunter-gatherers. The Mbuti and Efe of the Ituri Forest, DRC, are thought to number between 35-40,000 people; the Aka of northern Congo (including the Mbendjelle) and southern C.A.R between 25-30,000; the Baka of southeastern Cameroon between 35-50,000 people, and the Bakola of southwestern Cameroon between 3,000 and 4,000. Whilst there is tremendous variation within each groups, with some people mostly sedentarised and engaged in agriculture, many working for long or short periods for outsiders such as logging companies, meat traders and conservationists, most of these peoples spend periods of the year moving through the forest between hunting camps and some of the year living close to their farming neighbours and working in their fields.

History

As Bantu cultivators and fishers moved into the forest from central Cameroon from 5,000 BP onwards, ancestors of present day hunter-gatherers exchanged forest produce with the farming peoples in exchange for iron and pottery artefacts, as well as for agricultural produce. This evolved into a system of economic and cultural exchange which continues to this day: in some places more in the form of freely entered into exchange relations and in others more in the form of domination by the farmers. The key point to recognise is that although these hunter-gatherers see themselves (and are seen by their neighbours) as being the original inhabitants of the forest, they have probably never (or not for thousands of years) lived an isolated existence and continue to take advantage of opportunities offered by entering into exchange relations with others: be they traditional exchange relations with farmers, or more recent attempts to benefit from other incomers.

The hunter-gatherers' traditional system of land ownership differs from that of the farming people, in so far as their corporate rights to land are not related to cultivation but to gathering, fishing and hunting; however, their traditional rights to land rests on the same combination of defined territories and flexible group membership as has traditionally been the case for their neighbouring farmers. Both cultivators and hunter-gatherers' rights to land has been generally disregarded by Central African states who have declared all forest land to be the property of the state. However hunter-gatherer rights are doubly ignored since in the eyes of state authorities land that is uncultivated is often seen as land that is empty, since it is seen as not properly or continuously used in any way that would justify or legitimate a claim to land rights. In this, and in their granting of forest areas to logging concessions or conservation bodies, they follow on from their colonial predecessors who turned the forest over to huge European controlled concessions, whether for collecting rubber, ivory or skins. On top of this colonial powers imposed taxes on the population, forcing them to work for the concessions in order to be able to pay taxes, resulting in misery, impoverishment and often starvation as people had less and less time to work in their own fields. Where farmers enjoyed exchange relations with hunter-gatherers, the farmers would often try and control hunter-gatherer labour in order to meet tax demands leading to an inevitable hierarchy and domination in their relationship even where it might have previously been far more fluid and equal. At the same time, farmers were forced to move out of the forest and settle by the colonial roads, their daily interaction with the forest, and with hunter-gatherers in the context of the forest, becoming drastically reduced.

Social/environmental Relations

Where the forest is not destroyed and where hunter-gatherers, to varying degrees, maintain traditional exchange relations with their farming neighbours, the Baka, the Aka, the Efe and the Mbuti spend long periods of time in the forest. They perceive their environment to be plentiful and benevolent, and recent studies have shown them to be nutritionally better off than most other peoples of sub-Saharan Africa (Hewlett 1991:11-12). They live in bands of between 15 and 60 people, hunting for meat, gathering plant foods, and collecting honey. Everything they own has to be carried when they move to a new

hunting camp, so there is considerable advantage in having few possessions. What they do have in abundance is an intimate knowledge of the forest: the ability to read animal tracks, to know the flowering and fruiting cycles of plants, to locate a bees' nest from the flight of a bee. They know the individual properties of thousands of plants and make use of them to eat, to make poisons, to dull pain, heal wounds, and cure fever. Invariably these hunter-gatherers spend much of the year near a village, where they work in the villagers' gardens. Most of them engage in rituals which involve asserting their relationship with the forest and with the spirits of the forest. Song is central to these rituals, and may last all night with the intention of establishing a peaceful state of mind in everyone, establishing co-operation among the whole camp, and improving the hunt through re-establishing a good relationship with the forest.

It has been argued that their farming neighbours often also possess intimate knowledge of their forest environment, and (certainly amongst the Bila fisher-farmers associated with the Mbuti of the Ituri (Kenrick 1996a)) the distinction between farmers seeking to clear the forest and hunter-gatherers who can experience the forest as a sharing partner is more fluid than one might suppose. Many Bila men, some married to Mbuti women, spend long periods of time in Mbuti hunting camps and clearly prefer forest life; equally some Mbuti become accustomed to village life and attempt (generally unsuccessfully) to remove themselves from the equalising processes of demand sharing. The principle of demand sharing underlies Central African hunter-gatherers' immediate return system in which property cannot be accumulated over time but instead what is found today is mostly consumed today and any excess belongings or food can be demanded by those who have less.

Present day predicament

The forest provides the environmental, economic and political resource base which gives Forest Peoples room for manoeuvre, enabling them to negotiate with others and, to a great extent, to determine their own future. The immediate threat to them comes from the destruction of the forest itself, and thus the destruction of their relationship with the forest. After first examining the predicament of the different peoples we have been discussing, the final section of this article will look at the predicament of the Forest Peoples whose forest has been destroyed or who have been excluded from it.

Mbuti (or Bambuti) and Efe of the Ituri Forest, DRC

In the Ituri Forest, forest destruction is largely the result of the influx of incomers clearing large areas of forest to grow crops, often to exchange for gold from gold panners. Traditional farming communities engage in shifting cultivation, moving their village every ten years or so in order to return to the rejuvenated fields of a former village site to 'rejoice the ancestors' there. By contrast, incoming farmers clear much larger fields and seek to establish permanent conversion of the forest. Where shifting cultivators economically and culturally rely on their relationship with the forest and engage in long term exchange relations with hunter-gatherers, incoming farmers disregard such relations and tend to be short term extractors of gold and cash crops, who look for their long term security to their kin-based networks that are still centred in areas outside the forest, areas which they hope one day to return to.

The pressure on the Ituri by the influx of people from neighbouring areas has been in large part the result of the concentration of land in the hands of the powerful in Kivu, the region bordering the Ituri Forest in the DRC, from which the Nande (who constitute most of these incomers) have come. Any attempt to relieve the pressure on the Mbuti and their farming neighbours in the Ituri must necessarily involve attempting to secure people's rights to land in Kivu, an area where, up until recently, a combination of Western demands for cash crops and Western support for Mobutu's regime contributed to the power of the few to remove the less powerful from their land. For the last few years Kivu, and the eastern part of what is now called the 'Ituri Region', has been in a state of intermittent warfare, and the situation of the Mbuti and Efe in the western part of the 'Ituri Region' is unclear. Reports suggest that the Mbuti and Efe (and many villagers) have taken the same course of action they took during the 1960s civil war and during the early days of colonialism and the slave raids, which is to remain deep in the forest for long periods. It would appear that the Ituri has probably escaped the worst of the conflict which has been described as taking place between the Hema and Lendu peoples east of the forest.

In May 1992 a 13,000 square kilometre Forest Reserve was created in the Ituri in an area where approximately 28,000 villagers and perhaps 10,000 Mbuti and Efe live. The reserve has the potential to make its main strategy one of supporting local peoples' long-term sustainable relations with the forest and each other, and helping to halt the destructive impact of external extractive forces. However, it is possible - given the emphasis of conservation on biodiversity and on restraining local peoples' involve-

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ment in their environment - that the conservation process will marginalise local people and be seen by them as an external extractive agent itself. As one fisher farmer remarked: 'Since [the conservationists] have taken our forest, instead of receiving the good things of the forest we receive nothing.' In the context of potential funding from the Global Environment Facility (which seeks to address the 'threats to biodiversity conservation') and from UNESCO (who sees such areas as 'world heritage sites'), rather than supporting and strengthening local peoples' long term relationship with their environment, such conservation initiatives can easily continue the process of appropriating the local commons from local people.

Baka of southeast Cameroon

The rapid destruction of the forest here has been primarily the result of Western, and increasingly Asian, logging companies. The impact of activities such as logging, and the influx of poor farmers into the forest, can be closely linked factors. Logging concessions often act as magnets drawing people into the forest, who then find the meagre wages too low to survive on, and so have to choose between either returning to their regions of origin or turning to shifting cultivation.

The Baka social security system, of having to share any visible excess, works well within the day to day world of foraging in the forest and working in their neighbouring farmers gardens. However, it breaks down within the wage economy of the logging concessions and amid the accumulation and structured planning necessary in farming. When the Baka no longer have easy access to the forest – which is both their independent resource base and the context for the spiritual beliefs and practice which underpin their economy of sharing – they are marginalised from a way of life where they are the experts and are put in conflict with their neighbours. As a consequence many attempt to put whatever remains of their expertise to use in working for loggers, safari hunters and bush meat traders. Thus the underlying pressures of resource appropriation and forest destruction gradually remove both the economic and experiential resource which provides the basis for their flexibility and inclusiveness. Their efforts to become farmers, or the efforts of others to train them in farming, can compound this process. Like most Mbuti, Aka and Bakola, Baka were forced to settle by the roadside in the 1960s, but whereas most of the others have since moved back some distance into the forest, the intense activity of missionaries and Northern NGOs attempting to help the Baka to become independent by helping them to turn to agriculture, has meant that in some places many Baka remain centred on a roadside existence.

When the 5,000 square kilometre Dja reserve was created, control of land-use shifted from the 2,000 Baka and 3,000 villagers living within it, and the 30,000 people living on its perimetre, to the conservationists. Similarly, with the creation of a national park in the Lake Lobeke area in the far south east, it is highly unlikely that the Cameroonian government will agree to the creation of community forest areas which the Baka and the villagers could control. Whilst many conservationists recognise the need for community consultation and control of such projects, it would appear hard to convince enough powerful parties, probably because the very concept of conservation is about restraining peoples' involvement in their environment rather than about supporting or deepening their long term commitment to their locality.

Aka of northern Congo and southern CAR

As with the Baka, the rapid destruction of Aka forest areas has been largely the result of the activities of Western and Asian logging companies. In CAR 90 per cent of the forest area outside of the parks was already allocated by 1991, and in northern Congo the whole region has been allocated and there has been extensive construction of logging roads. On top of this there has been the creation of the 4,500 square kilometre Dzanga-Sangha National Park in southwest CAR, and the creation of the Nouabale-Ndoki Park across the border in northern Congo.

In northern Congo, the Aka (or Mbendjelle) make up the majority outside of the towns. As with the Aka of southern CAR, most groups spend between 4 to 8 months in deep forest camps and the rest near farmers' villages. In CAR and Congo, many Aka engage in short-term employment for meat traders, loggers and plantations. This form of work combined with efforts by missionaries, means that in some areas many Aka have become sedentarised, entering the forest on a daily basis rather than moving through it for weeks at a time. In other areas, Aka have used the opportunities offered by short-term employment to loosen their ties with villagers who (at least since the impact of the slave trade and the colonial era) have generally been very exploitative of the Aka (see Colchester 1993).

The Bakola (Bagyeli) of South West Cameroon

Generally the Bakola of southwestern Cameroon establish small farm plots at a considerable distance

from passable roads, whilst still relying on hunting (Biesbrouck et al.1999). They often leave the fields for 2 to 6 months of the year to stay in hunting camps, and they have a high reputation amongst their neighbours as herbal doctors. Logging, conservation and a possible oil pipeline combine to threaten their continued reliance on their forest.

Logging concessions have cut deep into their traditional forestlands, and many work for the loggers that not only destroy their forest but also their social cohesion. Another potential disruption to Bakola forest relations is the Campo Forest Reserve (originally created in 1932) which borders with Equatorial Guinea and will receive funding from GEF. However, probably the most drastic disruption of Bakola life is in the pipeline with the routing of the Chad Cameroon Oil Pipeline through their forest to the coastal port of Kribi. This would involve not only environmental disruption but also an influx of migrant workers to clear the forest and construct the pipeline. There has been very little meaningful consultation with the Bakola, the consequences would be drastic, and there would certainly be little recompense for the Bakola since they lack any land security in Cameroonian law.

Supporting forest peoples

The Bakola situation represents a somewhat typical example of the disruption being caused to Forest Peoples' lives. Their situation mirrors that of the Baka and Aka in terms of the disruption caused by logging in Cameroon, Congo and CAR. It mirrors that of the Mbuti and Efe of the Ituri Forest, DRC, the Mbendjelle (Aka) of the Ndoki Forest, Congo, and of the Aka of the Lobaye Forest, CAR, in that the creation of Forest Reserves can further disrupt their relationship with the forests. Unlike these other groups, but like some of the Batwa groups discussed below, some Bakola started an indigenous organisation CODEBABIK (Comité de développement des Bakola/Bagyeli des arrondissements de Bipindi et Kribi) in 1996, and has already sent a representative to the UN Working Group on Indigenous Populations.

The Mbuti, Efe, Baka, Aka, Bakola and other Forest Peoples of Central Africa need allies to help protect their forest and their right to decide their own future. The fact that they have maintained dynamic and changing relations with their farming neighbours over centuries clearly demonstrates that cultural integrity can rest not only on isolation but on interdependence. To support the rights of such peoples to make their own choices about how they

Ausa, 12 year-old Mbuti, Ituri Forest, DRC. Photo: The author

shape their future, requires not only that we help to protect their forest from destruction, but also that we help to protect their relationship with their neighbours from external control - be it that of an extractive administration, logging companies, an influx of farmers made landless elsewhere, or inappropriate conservation regulations.

People in the West have been motivated without difficulty to support indigenous groups in the Amazon forest. The inability of Western people to respond to the situation of the Forest Peoples in Central Africa has partly been because Central African hunter-gatherers are not seeking protection in their own isolated reserves, but seeking protection of their forest and their autonomy within the context of long standing relationships with their farming neighbours. This totally contradicts common Western assumptions concerning indigenous people. In one Western view of them, as timeless hunter-gatherers existing in a separate world, they are seen as living in a state of grace that will inevitably disappear if it comes into contact with the West. The other Western view assumes that hunter-gatherers like the Baka are a marginalised group whose culture has largely fragmented, whose economic activity threatens its environment, and who are in need of development opportunities to pull themselves up to a reasonable material level of security to divert them from their now destructive involvement to the forest. To recognise both that these peoples have the right to their cultural integrity and that they have always existed in relationship to other peoples would be an important step forward in seeing their predicament more clearly. It would mean switching from seeking to build a wall around such peoples to seeking to support their relationships with their forest and their farming neighbours.

This requires that their rights to land and to political autonomy be recognised both nationally and internationally. Establishing such rights depends on the degree to which we can support them to maintain the physical and political space in which they can decide their own future. It is in this context that Northern NGOs and Indigenous Central African Forest Peoples' NGOs are beginning to work together. So far, the Forest Peoples' NGOs have emerged in contexts such as Rwanda where the people they are representing have been the most marginalised from the forest. Supporting the emergence of such NGOs amongst Forest Peoples such as the Mbuti, Aka and Baka who are still centred on a forest existence - and all the fluidity, equality and distrust of leadership that goes with that way of life - may be a far longer term process, but one which is equally urgent.

FOREST PEOPLES MARGINALISED FROM THE FOREST

Of the estimated 70-87,000 Batwa in the Great Lakes region, probably less than 7,000 have direct and regular access to forest today. Forest-based Batwa refer to themselves as Impunyu. A smaller second group of Batwa in the region are the fisher folk who mostly live on the shores of Lake Kivu. They are unlikely to number more than 3,000, and are today prevented from openly fishing because they do not have fishing licences. The third and largest group of between 60-76,000 Batwa, are referred to as 'potters'; for this latter group the forest has long since been destroyed and their sense of identity is focused on their occupation as potters rather than on their identification as Forest Peoples. In addition to these 60-76,000 Batwa in the Great Lakes region, there are up to 100,000 Batwa (or Batua) further west, mostly in DR Congo, whose forest has been destroyed and who are now almost entirely dependent on their neighbours for their meagre livelihoods.

EXCLUDED FROM THE FOREST: BATWA (TWA) OF RWANDA, BURUNDI, DRC AND UGANDA

Forest-based Batwa in Rwanda

Forest-based Batwa groups are traditionally semi-nomadic: hunting and trading forest produce, and engaging in short-term farm labour. Many who no longer have access to forest remain on the farms that have taken over their traditional land, where they are often described as squatters despite the fact that the land has always been theirs. Other areas formerly inhabited by them, have been taken over by conservation projects, and Forest administrators often see Batwa access to the forest as illegal, despite the fact that they have lived in and relied on these forests since long before agriculturalist and pastoralist peoples, and conservationist programmes, arrived in the area. As a result most now 'live on the borders of forest and agricultural areas but use the forest on a daily basis' (Lewis 2000:13). In Rwanda this is primarily in the north in the areas bordering on Gishwati forest and near the Parc des Volcans, and in Nyungwe Forest in the south. There has been no effective consideration of the needs of the Batwa in the creation of these parks and forest reserve areas.

Forest-based Batwa in Kivu, DRC

Forest Batwa live in many areas of Kivu province DRC, especially around the Kahuzi-Biega National Park. Be-

tween the late 1960s and the mid-1970s the roughly 3,000 Batwa living inside the Kahuzi-Biega National Park in Kivu, DRC, were expelled from the park and have subsequently received brutal treatment when accused of hunting in the park. As a consequence their way of life and their livelihoods were destroyed, and no provision was made to help them [4].

As in Rwanda and Burundi, the Batwa in Kivu in DRC are particularly vulnerable in times of violence because they often live in the remote areas where armed groups hide out. Most Batwa here have fled their villages, and they are caught helplessly between different armed groups, often being forced to act as guides and trackers for one group and then having revenge wrecked upon them by another for doing so.

Forest-based Batwa in south west Uganda

The Bwindi, Mgahinga and Echuya Forests in southwestern Uganda were gazetted as forest reserves by the British in the 1930s. This effectively protected them from being destroyed by the agriculturalists who had moved into the area formerly inhabited only by Batwa, whilst the Batwa continued to make use of them (the Batwa here are often referred to as Abayanda). Since Bwindi and Mgahinga became national parks in 1991, Batwa exclusion has been enforced and so their forest-based role in the local economy has been completely destroyed. Some Batwa received compensation, most received nothing. Meanwhile farmers received most of the available compensation, because they had been the ones turning the forest into agricultural lands and, by destroying it, were therefore recognised as having land rights. Much funding for the parks comes from the World Bank through the Global Environment Facility. World Bank policies require prior consultation and the assessment and mitigation of the impact of such projects on indigenous people. Only since the eviction have efforts been made by those responsible for the parks to help evicted Batwa, but this has been opposed by the agriculturalists claiming it would be favouritism (rather than recognising the Batwa's unique dependence on their forest resource base, and their extreme marginalisation and impoverishment). Unlike their neighbours, Batwa impoverishment and lack of education have meant that they have not been able to form the associations and committees required to secure legal access to forest resources and to receive a proportion of the money generated by tourism. Batwa are accused of hunting gorillas despite the fact that no known Batwa groups eat gorillas. Their access to the forest for subsistence and religious reasons is illegal and risky for them, only two

The Mangaluama Spirit in the Nkumbi. Photo: The author

Batwa are employed by the parks, and meanwhile very few have been given land. Community development projects are funded by a Trust fund established by the World Bank and supported by the Dutch Government. However, despite pressure from the Dutch, the Batwa component has been very slow to materialise and the Batwa's unique position has been continually denied or downplayed.

BATWA WHOSE FOREST HAS BEEN DESTROYED: BATWA OF RWANDA, BURUNDI & DRC

Batwa of Rwanda

The vast majority of Batwa (between 20-25,000) are referred to as 'potters' and have adapted to the incoming farmers and pastoralists colonisation and destruction of their forests by working as travelling craftsmen, labourers and potters. As the immigrants no longer needed Batwa practical and ritual help to gain access to the forests, the Batwa lost the autonomy the forest provides and discrimination and exploitation increased. Pottery became their only reliable source of income and pottery rather than the forest became the symbol of Batwa identity. By the 1970s industrial substitutes began to flood the market, pottery became economically unrewarding but pot selling allowed the reviled and despised Batwa to legitimately engage non-Batwa in conversation which might result in a work opportunity or gift. Combined with this, farmers began to reclaim clay marshes for cultivation, reducing many erstwhile potters to a dependence on casual day labour and begging.

Indigenous Batwa organisations in Rwanda are trying to support the potters, but they have tended to focus on what they see as the immediate need to support, modernise and market pottery, rather than restore Batwa land rights and access to their forest and former forest land.

Impact of recent wars

Batwa have been caught up in wars between other groups for generations; however in recent years the conflicts have intensified and the marginalised and powerless Rwandan Batwa suffered disproportionately:

> *'During three months after April 6th 1994, mass-killings by Bahutu extremists resulted in the deaths of nearly one million, mostly Batutsi, Rwandans. This represented around 14 per cent of the Rwandan population. The Batwa only made up between 0.3 – 0.4 per cent of the total population and have no interest in, or impact on politics, yet it is estimated that up to 30 per cent of the Rwandan Batwa died or were killed as a consequence of the genocide and ensuing war (Lewis 2000:62).*

The Batwa have suffered at the hands of the Interhamwe Bahutu extremists during the genocide, during which time many sought to flee, and then afterwards they have suffered at the hands of the Batutsi authorities who have imprisoned the majority of returning Batwa men after accusing them of complicity in the killings. Certainly some Batwa will have become as embroiled in the mass killings as anyone else since to not participate would often mean death, but the disproportionate percentage of Batwa deaths points not to their complicity but to their persecution. With the death, disappearance and now imprisonment of Batwa men, support networks and families have broken down, leaving poverty stricken women and children who are too desperately struggling to survive to have time to create the associations required to register and receive assistance from NGOs. The government policy against identifying people ethnically fails to address the particular needs and discrimination experienced by the Batwa.

Batwa of Burundi

As in Rwanda, the Batwa of Burundi also experience extreme discrimination. 'The Bahutu or Batutsi may not enter a Batwa hut, share food or drink, or even sit and chat with Batwa, for fear of being ostracised by their own community. This Burundian proverb illustrates the rule: "If you shelter from the rain in a Batwa hut, then remain there."' (Lewis 2000:70-71). The vast majority of Batwa in Burundi are landless labourers suffering extreme discrimination, and they have been caught up in the less intense but long drawn out endless cycles of violence between Bahutu and Batutsi in Burundi.

Batwa of DR Congo

There are a great many scattered groups of Batwa throughout this region who are now totally dependant on their neighbours for their meagre livelihoods. Their total numbers in DR Congo and Congo-Brazzaville are thought to number up to 100,000. The Batwa of Mbandaka and Equateur, DRC, provide just one good example of what such Batwa are experiencing.

In Mbandaka and Equateur, both Batwa and their neighbouring farmers have in the past been exploited by the Lever Brothers' oil palm plantations, and the forests in these areas have been hunted out. As a result of both these processes the 4,000 or so Batwa are dominated by the villagers both economically and ritually. The Batwa have to work on villagers fields at just the times of year when they should be planting or harvesting their own fields. As a result of this, relationships of debt are built up since the Batwa then have to borrow food to survive, and are then obliged to work villagers fields when requested, so remaining a ready source of cheap labour to the villagers.

Indigenous Batwa Organisations

In 1991 the APB (Association pour la Promotion Batwa de Rwanda) was formed, and it catalysed the formation of other Batwa groups (Jackson 1999:289). These original Batwa organisations reconstituted themselves after the civil war in Rwanda under a Batwa umbrella organisation, CAURWA (Communauté des Autochtones Rwandais) who are now seeking to help Batwa in neighbouring Uganda to start indigenous organisations, and are linking up with PIDP-Kivu (Programme d'Intégration et de Développment du Peuple Pygmée au Kivu) in DRC. With support from Northern NGOs such as FPP, MRG and IWGIA these organisations are linking up with other Batwa, with the Bakola / Bagyeli CODEBABIK indigenous organisation in Cameroon, and with the indigenous rights movement more generally.

Conclusion

This article has sought to give a broad overview of three different areas. In the first part it sought to examine how one might mobilise the term 'indigenous' to make the necessary bridges to enable the hunter-gatherers and former hunter-gatherers of the Central African rainforests to retain or reclaim the political, economic and cultural space to decide their own future. The second part of the article sought to recap the situation of the Mbuti, Aka, Baka and Bakola peoples who still, to a large extent, have access to their forests. The final part of the article has made extensive use of Jerome Lewis' and Dorothy Jackson's recent research to convey the situation of the Batwa who have either been excluded from their former forest homes or whose forests have been destroyed by incoming cultivators and pastoralists.

The question remains: can these three aspects of the struggle for Central African Forest Peoples' indigenous rights be brought together in a way which respects their different situations? Can

a) those former hunter-gatherers who are becoming aware of the need to fight for their rights but who no longer have access to the forest,
b) those hunter-gatherers still relying on the forest to provide them with some autonomy and security, and
c) those involved in the international indigenous rights movement, find a way of working together and challenging and learning from each other?

If these peoples' different ways of living and thinking are to survive, they will need to be understood and articulated effectively in an African context which requires a rethinking of what it means to be indigenous: including moving towards a more dynamic understanding which not only looks to the marginalised first peoples of the South but also reflects on the motivations and needs of those Northerners and others involved in the struggle for indigenous peoples.

What is suggested here is that 'indigenous' is perhaps better thought of as a quality rather than a category, a verb rather than as a noun. It is not necessarily something some people are and some people aren't but rather it is an equalising quality of belonging, a quality which many Forest Peoples' ritual, ridicule, humour and social practices appear designed to continually re-establish. Might it help to recognise that when the space is not kept open for these hunter-gatherers to shape their own future, when they can no longer practice their inclusive and equalising social forms of challenge and support, then they can lose that equalising quality of belonging (and in a sense stop being indigenous and start being extractive outsiders themselves). Might it help if we focussed less on drawing boundaries between them and their farming neighbours, and between the indigenous and Northerners, and instead recognised that their farming neighbours and other 'outsiders' are able to become 'indigenous' to the extent that they move away from an attitude of exploiting and dominating and instead enter into a dialogue of equals [5].

The very fact that the term 'indigenous' is so difficult to use in an African context, is not something we need to gloss over, nor need it be a stumbling block to supporting indigenous rights in Africa; quite the reverse. Supporting indigenous rights in an African context could potentially be a unifying rather than

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divisive process: asserting the rights of marginalised hunter-gatherers, including their relationship with their neighbours, involves identifying the processes that are marginalising and exploiting them. If hunter-gatherer equality is asserted in a way that identifies the processes which are also exploiting their neighbours, the process of asserting indigenous rights becomes a dynamic refusal to accept the unequalising and exploitative conditions which ultimately disempower everybody involved[6].

Notes

[1] This article draws on very recent research into the situation of the Batwa in eastern DRC (Barume with Jackson: 2000), and of the Batwa throughout the Great Lakes region (Lewis: 2000); it also draws on a recent survey of different Forest Peoples situations throughout Central Africa (Luling & Kenrick: 1998), and on contributions to Biesbrouck, Elders and Rossel's excellent volume on Central African hunter-gatherers (1999).

[2] For example Jerome Lewis (personal communication) points out that the Mbendjelle call themselves 'bsi ndima' (literally: forest people) and also describe other groups they know of such as the Baka as 'bisi ndima'. This category is in opposition to 'bisi mboka' (literally: village people, whether farmers or fisherfolk).

[3] This section draws heavily on Jerome Lewis (2000).

[4] This section is drawn from Kwokwo Barume with Dorothy Jackson (2000).

[5] Both Jerome Lewis and Espen Waehle question whether there is primarily such a continuity between hunter-gatherer and farmer's ways of relating to others and the environment. Espen Waehle highlights instead the contrast between essentially competitive farming societies and essentially egalitarian hunter-gatherer societies. I have argued elsewhere that there is a continuity between attitudes of opposition and attitudes of co-operation amongst both hunter-gatherers and farmers. These hunter-gatherers use social and ritual forms to move their experience towards co-operation, whilst their farming neighbours use social and ritual forms as an attempt to assert the importance of opposition and domination: but the experiences of opposition to, or identification with, others and the environment can be seen as being at either end of a continuum which all these people experience.

[6] My thanks to Espen Waehle, Jerome Lewis and Axel Koehler for extremely useful comments on earlier drafts of this article: the views expressed in it are of course entirely my responsibility.

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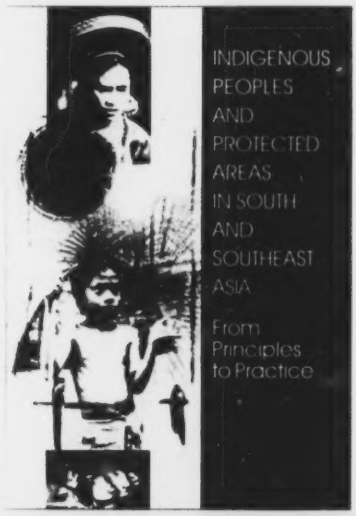

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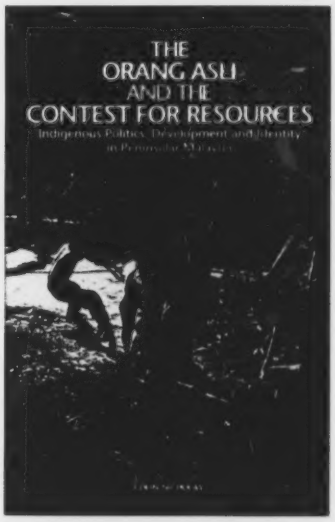

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THE HADDAD OF CHAD

By Ida Nicolaisen

A young Haddad singing about animals. Photo: The author

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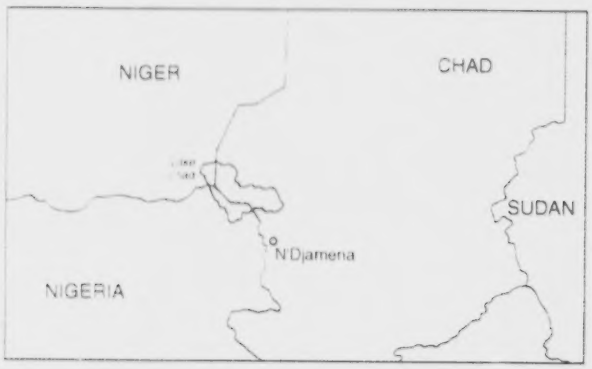

At the turn of the Millennium the voices of foraging peoples are getting louder. Around the world they speak to us of unacceptable living conditions, discrimination and cultural suppression, but also, to those who care to listen, of valuable contributions to and enrichments of humanity. Distant at first, like simple tunes from afar, foraging groups have become ever more incisive and eloquent in demanding respect of their fellow citizens. They ask for equal opportunities and compliance with the Charter of Human Rights. However, disturbing silence prevails in some parts of the world. This is the case of the Haddad, one of the many ethnic groups which make up the 5 million inhabitants of the Republic of Chad in Central Africa. The outside world knows little either of most of the people here or of this vast, desperately poor country itself. Apart from sporadic attention offered its belated but precarious political stability upon decades of civil war, Chad has been left on its own, except perhaps by arms dealers and oil companies. However, even the interest of the latter is marking time as the proposed pipeline to Cameroon has been put on halt, leaving Chad with but bleak prospects of propelling economic growth in the 21st century.

The situation of the Haddad is intimately linked, I shall argue, to the general state of insurgency and violence which have prevailed in Chad for as long as we can assess. Belligerence and wide scale slave raiding continued well into the 20th century. Slavery was not abolished until after independence in the 1960s, and a series of discriminatory practices were tacitly accepted by the French colonial regime, dooming the Haddad to second-rate citizens. The post-independence government declared all inhabitants free and equal. However civil war, poverty, environmental disaster following the droughts of the 1970s and 1980s, in combination with the failure of the international community in curbing Hissene Habre's brutal regime 1982-90, during which tens of thousands were killed,[1] has stalled economic development. In many respects the population is as desperately poor as it was close to forty years ago, when I crisscrossed Kanem on camel back.

It comes as no surprise therefore that social research projects have been few and far between. Still, it is baffling that not more, in fact less is known about the Haddad today than was thirty years ago. Scores of social scientists have worked for decades among foraging groups of adjacent Cameroon not to speak of those living in Congo, but the Haddad and many other Chadian peoples have not stirred scientific curiosity. Apart from short references to the Haddad in the writings of French administrators, and the studies undertaken by this author and her late husband Johannes Nicolaisen in 1963 and by Edouard Conte in 1972, no research has been carried out among the Haddad for the past thirty years to the best of my knowledge. One finds no reference to them and related foraging groups in Niger in *The Cambridge Encyclopedia of Hunters and Gatherers* recently published by Richard B. Lee and Richard Daly (1999). Hitchcock notes in this volume that 'West Africa has few if any foragers, other than people who have fallen back on foraging as a result of drought, crop failure, or civil conflict' (1999:175). This is not the case of the Haddad, as we shall see. Hopefully this essay will ignite renewed scientific interest in the Haddad and raise awareness of the plight of this and many other minor ethnic groups in Chad.

Ecological setting

The Haddad live in Kanem and adjacent tracts of Niger to the east and northeast of Lake Chad. Historically a crossroad of migration and trade routes, this area is the home of a fascinating ethnic multitude. It has seen the comings and goings of political dynasties since Medieval times, profited from and endured the miseries of trade in slaves and produce, northward along the ancient caravan route over Fezzan to Tripoli, and eastward through Dafur and Khartoum, a trail also worn by millions of faithful pilgrims on the way to Mekka. This is Sahel country, a gently rolling landscape of dunes dotted with acacias and growth of perennial and annual grasses and stretches where millet and other crops may be grown during the rainy season. The mighty Bahr el Ghazal valley, which provides a run off for Lake Chad cuts through southern Kanem. At the beginning of the 20th century Kanem was still rich in gazelles, antelopes, giraffes, ostriches, elephants and numerous smaller species, lions and cheetah being relatively few in number. Hippos and crocodiles were teeming in Lake Chad until the middle of the 20th century when commercial hunting had brought them near extinction. Also terrestrial game has grossly diminished, many species entirely in part due to natural causes like the droughts of the 1970s and 1980s, in part to uncontrolled hunting with automatic weapons by the military and others.

Like the rest of Chad the prefecture of Kanem is inhabited by a series of ethnic groups, some largely pastoral like the Kreda, Fulani, Kecherda, and the Arab-speaking Uled Sliman, others settled agriculturalists or agro-pastoralists like the Kanembu. Amidst these many ethnic groups one finds the Haddad, who fall in two categories: One largely

foraging group, numbering an approximately 3000 individuals, who live for the major part of the year in camps and speak the language of the pastoral Kreda. The other, totalling about 25,000 souls, live a settled largely agricultural life in villages interspersed between those of the agro-pastoral Kanembu, whose tongue they apply. In this essay I shall sketch out the main distinctions between the two, but devote most space to the Haddad Kreda. [2]

The Haddad

The Haddad seemed to elude us at first that summer of 1963, just before the civil war broke out, when we set out on camel back to locate them. Little if anything was generally known about them and their whereabouts, and when we finally found Kreda camps which also housed Haddad families, these would invariably argue that they had given up hunting long ago, out of fear that we belonged to the administration or police and had come to confiscate their gear and fine them. Yet, during the following months we were able to gain their trust and form an overall picture of Haddad society and culture, as well as establish more intimate relations with some families enabling us to get a deeper understanding of certain aspects of their culture.

But the Haddad were elusive in other ways than by being hard to pin down in space. For one they possessed no name of their own. The word Haddad derives from the Arab term for iron, *haddid*. In northern Chad its colloquial singular, *Haddadi*, is used to denote not only those who work this metal, the smiths, but also by extention to other categories of craftsmen and to groups carving a living largely by hunting and other foraging activites or claiming a tradition of having done so. The former are known as *Ezé seguire* (net-using hunters) or *Ezé firiré* (bow and arrow hunters) in Kreda, while the latter are called *Duu* in Kanembu. The name *Duu*, however, is no more narrowly defined than the term Haddad, as it too includes both craftsmen and their kin as well as non-craftsmen assimilated to the Kanembu in addition to the descendants of hunter groups. I shall not elaborate any further on the complexities of ethnic terms in Kanem, but just state that the two foraging groups, which concern us here, both recognize and apply the term Haddad to denote themselves. Moreover they may well specify their identity by adding Kreda or Kanembu that is the name of the ethnic groups to whom they are tied in asymmetrical relations.

Just as the Haddad have no distinguishing ethnic name they speak no language of their own but use those of the Kreda and Kanembu, with whom they also share a wide range of social and cultural characteristics, including the adherence to Islam. The Kanembu perceive the Haddad Kanembu as a mere sub-stratum of their society, relegating Haddad clans to an inferior position within their own clan structure. This is not the case among the Kreda, who impose no similar cultural idiom on the Haddad incorporating them in their social structure. It goes almost without saying that both the Haddad Kreda and the Haddad Kanembu perceive themselves as ethnic groups in their own right, and that they substantiate their claim by pointing to myths of origin, distinctive cultural features, and last but not least to their traditional mode of subsistence, that of hunting. The Haddad are not socio-economically

Haddad families moving camp. Tents and household utensils are loaded on donkeys. Photo: The author

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deprived people who have 'fallen back on foraging as a result of drought, crop failure, or civil conflict', to quote Hitchcock (1999: 175). To the best of my knowledge they are genuine hunter and gatherers, whose living conditions have changed radically over the past century. This has forced the Haddad Kanembu to settle down to a largely agricultural life, and the Haddad Kreda to accept a subservient position in Kreda camps.

What is common to all Haddad is the low esteem if not right out contempt in which they are held throughout Kanem, be they craftsmen or foragers. All of them are relegated to a debased social position. The socio-cultural depreciation by the wider society finds a range of social outlets and cultural expressions and it is upheld by the enforcement of strict endogamy. Kreda and Kanembu men may engage in extra-marital relations with Haddad women, but marriages between the Haddad and Kreda or Kanembu men or women do not occur. The debased social status of the Haddad is culturally explained, not only by reference to mythical events, but also by pointing to definite qualities or lack thereof by the Haddad. The bellicose Kreda say for example that they despise the Haddad for being unwilling or unable to fend for themselves, while the Kanembu in awe of Haddad skills in applying their poisoned arrows, nevertheless single out this very weapon as of no cultural value in contrast to the spear, the weapon they use and by which they identify themselves.

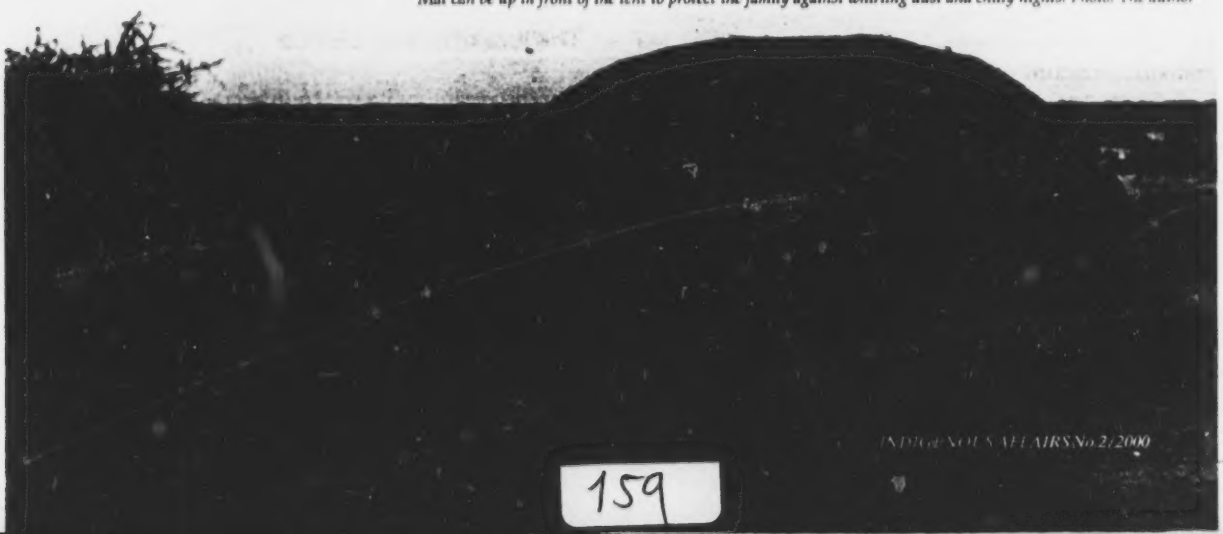
The Haddad are tied into the wider social web by strictly asymmetrical relations of dependence and curbed by socio-economic restrictions. Beyond the stop brought to slave trade the French colonial regime neither uprooted the feudal-like bonds in which the Haddad Kanembu were held, nor did they work persistently to abolish those slightly disguised forms of slavery which for example barred the Haddad from owning cattle. On top of these forms of discrimination the French imposed a ban on hunting by traditional means: nets and bow and arrow, destroying Haddad economy while at the same time demanding that they pay tax. The latter policy has been upheld by the national government.

The life and livelihood of the foraging or previously foraging Haddad has thus been defined throughout the past century not only by the physical environment and the availability of game at any one point in time but as much by the political agendas and cultural perceptions of their fellow men. In short the Haddad have been prevented from pursuing their traditional way of life and in practice doomed second-rate citizens. Let us now take a closer look at these people and their way of living, including the situation of the women.

The net-hunting Haddad Kreda

This group of Haddad claim that they moved westwards into Kanem during the 17th century from neighbouring Sudan together with the pastoral Kreda, with whom they still camp and migrate for the greater part of the year. Wherever the two groups stay together the tents of the Haddad are pitched in a row right behind those of the Kreda, and in such a way that each Haddad family stays right behind the Kreda family to whom it is tied through mutual rights and obligations.

Haddad families pitch their tents behind the larger ones of their Kreda hosts. Still another Mat can be up in front of the tent to protect the family against whirling dust and chilly nights. Photo: The author



Usually there are but three to four Haddad families in a Kreda camp. The exchange relationship entails that the Kreda family offers 'its' Haddad family milk from one or two cows according to grazing conditions as well as meat from slaughtered cows. On their part the Haddad man tan the hides of cattle and small ruminants for the Kreda, while his wife dresses the hair of the Kreda woman, a task which each time takes up the major part of a day and for which the Haddad woman may receive an additional gift, say of a little tea. A Haddad family lends 'its' Kreda counterpart a hand with the churning of butter, and occasionally a portion of *ogu* grass, which they collect in considerable quantity and eat as porridge with a vegetable sauce. This is highly appreciated by the Kreda, as *ogu* porridge is a favorite dish and the Kreda do no collecting of the grass themselves.

Foraging, especially of *ogu* seeds is singularly important to Haddad diet, in particular during the summer when hunting is poor. Moreover few Haddad families had millet fields of their own to supplement the diet in periods of food shortage. It is noteworthy that foraging for *ogu* is carried out by Haddad men, not by women as is the case among most other foraging groups.

At the time of our fieldwork hunting was still of vital economic significance to the Haddad Kreda. They hunt primarily with nets into which the game is driven, but they do also make use of snares and of spears. We encountered a few simple wooden boomerangs, but this is a weapon typically found further east or south. The Haddad Kreda do not apply bow and poisoned arrows, the hunting gear of the Haddad Kanembu.

Hunting with nets is the all-important method, and the Haddad customize these to size according to the animals they wish to hunt. Small game is hunted individually, gazelles and antelopes collectively: the gazelles as a joint effort of the families of any given camp, the oryx antelopes on large scale hunting expeditions undertaken by several related camp units.

It is the hunting of gazelles and antelopes which form the backbone of Haddad economy, providing them not only with a considerable part of their nutrition, but also with sinews for net making, hides for household chores, and cash from sale of hides and horns.

Each kind of net has its particular name. The smallest of these are used for hunting hares and foxes. The nets are put up in a semi-circle or straight line, whereupon the animal is forced out of its hole with a stick to get entangled in the nets and subsequently killed or sold as pets to administrators or at the garrison of the Foreign Legion.

Slightly bigger nets are used to snaring guinea fowl and a single, long one to catch the great bustard. Next in size are nets for jackals, an animal which can still be hunted by one man only.

Gazelle hunting is a joint undertaking, as already intimated, involving one or more net owners as well as other members of the camp, including children under the leadership of the oldest man of the party. The hunting party packs its gear on donkeys and sets out to scout for game, some on foot, others mounting the poor donkeys on top of the nets. When game has been spotted and the hunting strategy decided upon the party splits up. Each net owner puts up all his ten to twenty nets in one place. Depending on the terrain and location of the game, the nets are placed in openings between thickets and trees. Meanwhile young men and children place a considerable number of cleft sticks at a few metres' interval each hung with a strip of black sheepskin. These sticks are to represent men and are to direct the animals towards the nets, when these are chased. While the net owners hide next to the nets, all the younger members of the party line up at a distance from the game, and at a given signal they run towards this shouting and beating wooden sticks against each other to drive the bewildered animals in the direction of the nets where these may get caught, clubbed and subsequently have their throats cut according to Muslim practice.

The traditional backbone of Haddad Kreda economy was the collective hunting of antelopes in particular the oryx, which up to World War II still grazed in large flocks in the southern stretches of the desert to the north of Kanem. The Haddad undertook annual expeditions to tap this resource each winter. Sticks with sheepskin, according to the Haddad, cannot fool the oryx and a large number of people were hence required to make up the trap formation necessary for the drive on top of those actually chasing the game towards the nets. To hunt Damaliscus and Oryx antelopes, several parallel rows of large nets must be put up, one behind the other, to slow these strong animals down. Despite the ban on hunting some Haddad still went north to hunt antelopes in the mid 1960s, but the return had declined drastically due to depletion we were told.

All game collectively hunted is divided according to fixed rules after a successful hunt: the net owner receives the head, neck, skin, and all four legs up to the knees, i.e. those parts of the legs from which tendons can be taken out for the making of new nets. The net owner gets these parts even if he has not taken part in the hunt himself. The rest of the carcasses are divided equally between all participants in the hunt irrespective of age, sex, and family relations. Portions are sometimes set aside specifically for old people.

The lure of subservience

Our discussions with the Haddad made it blatantly clear that relations with the Kreda were economically and politically vital to them. For one they could subsist only with difficulty without milk from Kreda herds during the rainy season, they said. This supplement to their diet was the more crucial as game was becoming scarce and they themselves were barred from owning any domestic animals but donkeys. This had been the case since time immemorial, they said. Moreover it was socially accepted throughout Kanem that any such property was free for

grab, a practise not effectively stopped by the French. The social position of the Haddad had thus been similar to that of slaves until Chad had declared its independence and the free and equal rights of all its citizens. Still, at the time of our fieldwork the Haddad were not treated as persons in their own right, but as jural dependents of their Kreda masters, who offered them protection and could intervene on their behalf. From the Kreda point of view a dependent Haddad family not only meant an additional source of labour and supply of wild seeds and occasionally other foraging produce, it lent them social prestige within the wider pastoral society, signaling that they were sufficiently well off to subsidize a foraging family.

Violence and Dependency

At the time of our fieldwork the Haddad were not only living with and in a state of dependency on the Kreda; their social position was in many respects that of outcastes. They were looked down upon by the wider community, as already intimated, and the disrespect had a racial tinge. Both the Kreda and the Kanembu declared for example that the Haddad were 'black' in contrast to themselves. We came across but a negligible number of Haddad who had received any schooling, and members of other ethnic groups declared that the Haddad should be kept in their place, outside mainstream development. Some said that they should not be allowed any schooling at all, others that they should never be employed in positions higher than clerks.

The Haddad did not openly question their subservience and the caste-like position as far as we could judge. It is a well known sociological fact that the suppressed may well identify with the suppressor and that opposition, if it occurs, takes on subtle, disguised forms, as shown e.g. by Scott in *Weapons of the Weak* (1985). As regards the economic and political dependency of the Haddad on the Kreda, one must remember, that this was not forced upon them or maintained against their will. It was a bonding to which the Haddad had submitted themselves out of necessity. Their reasons for doing so must be looked for in the fact that slave raiding, robbery, and a prevalent state of insurgency has characterized life in this part of Africa since time immemorial, and that violence moreover was systematically applied by the French as a means of control in Chad as demonstrated by Azevedo (1998). It is in the collective memory of this past as well as in their assessment of the actual political situation that Haddad reasons are rooted for remaining with the Kreda and accept a caste-like bond.

Although the new national government of Chad had declared its citizens free and equal the situation of the Haddad had not undergone any noticeable change by the mid-1960s. The Haddad remained in the Kreda camps for most of the year, and some took up shelter with and were supported by the Kreda clan chief for a few months during the agricultural season. Some Haddad had acquired a few goats of their own, and they all hoped to achieve more domestic animals in view of the fact that it was becoming exceedingly difficult for them to subsist on hunting due to the ban on this activity and the fast decrease in game.

What has become of the Haddad since the droughts of the 1970s and 1980s is an open question. For all we know game is now exceedingly scarce and while insurgency may be on the decline, the general living conditions appear to be as difficult as ever in Kanem. It is high time that the international community directs its attention to this part of the world and that we try to pick up signals from people like the Haddad, if they are still able to send any.

Notes

[1] Attempts are now made to set up an international tribunal to investigate the atrocities. *The International Herald Tribune*, January 26, 2000

[2] The actual size of the Haddad population is an open question today. In the early 1960s Rouvreur assumed that there were about 100,000 Haddad (including the craftsmen) north of the 13° northern latitude, a figure I find exaggerated. In the early 1970s the Duu constituted an average 20% to 25% of the Kanembu population or some 25,000 according to Conte, but precise estimates are wanting.

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THE JARAWA OF THE ANDAMAN ISLANDS

The historical and contemporary situation of the 'fierce' Jarawa who eluded the grasp of the British colonialists, keeping them at bay with their bows and arrows, presents an intriguing anomaly to the predicament of the other indigenous groups of the Andaman Islands, and to the trajectory of events that has now become commonplace with respect to indigenous peoples across the world. The Jarawa wield the same weapons still, stronger now, reinforced with iron arrowheads to defend their territorial boundaries as it is continuously remapped by the Indian colonialists. And yet, they are lured to remarkably staged encounters by the promise of coconuts, bananas, rice, cloth, and pieces of iron. Will the seduction of 'goods' finally erode the mystique of the Jarawa as they are drawn resolutely within the circuit of commodity fetishism?

By Sita Venkateswar

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Who are the Jarawa?

The Jarawa are one of the four groups of indigenous people of the Andaman Islands, a group of islands located in the Indian Ocean close to Myanmar and Indonesia. The four existing groups are the Andamanese, Onge, Jarawa and Sentinelese, listed here according to intensity of exposure to the colonial administration in the islands. The islanders are a part of the dwindling semi-nomadic, hunting-gathering-fishing, Negrito populations of south and southeast Asia. The four groups of Andaman Islanders inhabit different islands of the archipelago. These groups have been separated long enough to have developed substantial linguistic differentiation, and are now referred to in the literature as four distinct tribes. A summary of the situation of the islanders since the Indian intervention into their lives since 1947 is as follows:

The Andamanese at present add up to approximately thirty-five people. They have been settled on a small island called Strait Island, which has been given over to them, although it remains doubtful as to whether there are any legal documents to that effect. The ravages of the earliest and longest duration of 'contact' have been borne by the Andamanese. Their resettlement on Strait Island is perceived by the Andaman government as some measure of reparation for the historical injustices that they have undergone.

The Onge of Little Andaman were unhindered in their hunting-gathering-fishing way of life until the mid-sixties. A research substation of the Anthropological Survey of India (ASI) was established in Port Blair in 1952, and there were Indian research teams frequently visiting Little Andaman. A program for the development of Little Andaman was announced in the late sixties, and the former inhabitants were sequestered in two permanent settlements at two ends of the island: Dugong Creek, the larger settlement in the north, and South Bay at the southern tip of the island. Their population too has dwindled steadily, and they now number approximately a hundred people.

The Jarawa have been steadily pushed to the very margins of their former territory, and at present occupy the western borders of Middle and South Andaman Islands. Their population is estimated to be approximately 300 people. They remain hostile to incursions into their domain. Over the past twenty-five years, the island administration has initiated 'contact' with the Jarawa, and claims to have established some degree of rapport with the people.

Finally, the Sentinelese, named after North Sentinel Island, the island they inhabit, are the most isolated or the least known of the islanders, and continue to present a militant front to the outside world. Until six years ago, they thwarted any attempts to approach their island. They are believed to number between 200-250 people.

For the Andaman Islanders, it has been a continuous history of colonization since 1858, when the British established a penal settlement in the islands, with India taking control of the islands in 1947, following a brief Japanese occupation of the islands during World War II. The British version of the colonial economy was one which trafficked in the circuit of tobacco, tea, sugar, opium and alcohol, bringing the islanders firmly within the ambit of the British empire. The subsequent Indian variant, also colonial in its dimensions as it pertains to the islanders, further deprives them of control over their traditional resource base. It was merely a transfer of power between two colonial regimes, with very little to differentiate the two. The colonizer changed from the 'white man' to the 'brown' one after 1947, who, like the former, proceeded to shoulder 'the white man's burden' of undertaking to 'uplift' the 'backward primitives'.

What's in a name?

Through time, the people nominated by the term Jarawa, have served as the mysterious, unknown, hostile 'other' for those who have named them as such. Jarawa means stranger in the language of the Aka-bea-da, the Andamanese with whom the British, over the years since the establishment of the penal settlement, first became acquainted. The British administrators in the Andamans were unaware of the various territorial and linguistic divisions of the Andamanese. Or of a further distinction between forest-dwelling and coastal populations, namely the eremtaga and ar-yauto groups.

From analysis of the vocabulary and comparison of the material culture collected by Lieutenant Colebrooke during the period of the first settlement in the islands from 1789-1796, it was later surmised that the population residing in the region around the first settlement were, in all likelihood, the people referred to as Jarawa by the Aka-bea-da. An interesting contradiction resides in the fact that the people whom Lieutenant Colebrooke describes used both canoes and rafts, but those who were later known as the Jarawa did not possess canoes. They only constructed rafts to cross streams or travel short distances between islands, a practice characteristic of the Jarawa to this day. One possible explanation is that it was the coastal-dwelling Jarawa who used canoes, but the technology was unknown to the inland groups. It is probable that some disease was introduced among the coastal groups by Lieutenant Colebrooke and Blair's first settlement in 1789, resulting in a marked reduction of their population. The four years that the British occupied their initial site on the southeast of South Andaman, were sufficient to have decimated the coastal populations of the groups referred to as Jarawa by the Aka-bea-da. It was solely forest dwelling, raft-using Jarawa who were encountered in the interiors of South Andaman when the

penal colony was established, during the second span of British possession of the islands from 1858. Sarkar (1990) suggests that it was the depopulated coastal Jarawa who were pushed into the forest by the numerically stronger Aka-bea-da, and over the course of half a century of forest existence forgot the craft of canoe building and use.

It would be instructive at this stage to explore this particular appellation of Jarawa by the Aka-bea-da, who used it as an inclusive term when referring to the Onge of Little Andaman, as well as to the inhabitants of North Sentinel Island. Other groups that the Aka-bea-da were unfamiliar with in Middle and North Andaman were never specified as Jarawa, but by the name by which they designated themselves. Portman's conclusion, which appears to be substantiated by current linguistic research, is that there were two major branches of indigenous people in the Andamans. The Great Andaman branch comprised of all the North, Middle and South Andaman groups. The Onge branch included the Onges on Little Andaman, the Jarawa on South Andaman and the people on North Sentinel Island.

According to Portman (1899), all the area north of Little Andaman up to the site of Port Blair was, at some time inhabited by the 'Onge Group of Tribes'. But these groups came into conflict with the southward movement of the South Andaman Group of Tribes who, over time, occupied all the islands south of Port Blair up to Rutland Island. The Onges in response, retreated southwards. Portman goes on to suggest that these developments curtailed the movements of the people on the North Sentinel, who no longer dared to visit Rutland Island, 'and the various Septs of the Group thus drifted apart and became inimical; their bows, etc., altering more or less, but their languages remaining allied though so altered as to be mutually unintelligible' (ibid.:703).

Throughout the entire British period, there is much ambiguity as to who in fact were referred to as Jarawa. At various points, canoe-using Jarawa were captured whose language was incomprehensible to purported raft-using Jarawa. In some instances, captured Onge were sometimes conversant with captured Jarawa, and at other times their languages were found to be mutually unintelligible. Modified versions of Portman's view were reiterated by subsequent writers on the Andamans. Radcliffe-Brown (1964) was of the opinion that:

> *'[The Jarawa] are the descendants of emigrants who at some time in the past made their way across from Little Andaman and thrust themselves in upon the inhabitants of Rutland Island and the South Andaman maintaining their footing in the new country by force of arm' (ibid.:13).*

On the basis of his observation of the seasonal northward migration of the Onge located in the northern parts of Little Andaman, the Onge knowledge of and names for all the islands north of Little Andaman, Cipriani (1966) concludes that the Jarawa and the Onge are one and the same people, some of whom migrated to other islands in the north as a result of demographic pressure on Little Andaman or tribal warfare.

At present, the only recourse is to designate by geographic location - the people inhabiting the 700 sq km reserve demarcated in 1920, on the western margins of Middle and South Andaman are specified as the Jarawa, the islanders on North Sentinel are designated as the Sentinelese. Whether these are the same people who were cited as Jarawa in the past is a matter for conjecture. It is somewhat ironic that to this day we remain unaware of how the Jarawa actually allude to themselves, though some indications from my research suggest that they too speak of themselves as Onge.

Aggression and hostility: the British legacy

> *'Today the word Jarawa is synonymous with hostility. And hostile they are, but defensively hostile. Knowing their history, it is acceptable that they should have turned to violence with the outside world as a means of self-preservation' (Whitaker, 1985:66).*

In 1931, Bonington of the British government in the Andamans at the end of a punitive expedition against the Jarawa expostulates: 'This expedition did not stop Jarawa raids; like the Bushman of South Africa, the Jarawa is implacable and will continue to fight to extermination' (cited in Whitaker 1985:13). In light of these comments, it may appear surprising that in the initial era of British occupation of the Andaman Islands, there was a very different picture painted of the Jarawa. When Lieutenant Blair first encountered them in 1790's he considered them more timid than hostile, and had less difficulty with the Jarawa that with the 'savage' Aka-bea-da, with whom friendly overtures were never successful. Moreover, Portman's comments draw attention to the fact that:

> *'As we became on friendly terms with the Aka-bea-da they prejudiced us against the Jarawas whom they described in the blackest terms, and the latter seeing us allied with the Aka-bea-da against them, resented or distrusted our friendly overtures, from timidity at first, and finally from downright hostility' (Portman 1899:704).*

Portman is remarkably perspicuous when he notes:

> *'The Jarawas seem to be very much what we have made them. They were much less timid at the time of this [Lt.Colebrooke's] visit than they are now, and were merely given a bad name by our Andamanese because the latter were at enmity with them, and ignorant regarding them' (ibid.:711).*

The first mention of the Jarawa as 'troublesome aborigines' is made in 1865 when Major Ford, Superintendent of Port Blair at the time, was engaged in making a road from the settlement in Port Blair, southwest through the forest to Port Mouat on the west coast. Gangs of convicts employed in clearing the forest around the settlement at Port Blair, were often confronted by the Jarawa. The convicts reported to the administrative officers that these people (the Jarawa) were not nearly as hostile as the other aborigines, but merely took the weapons and utensils the convicts had and then dismissed them without further harm. During this phase, expeditions were sent out in search of the Jarawa, any dwellings that were found were stripped of all belongings, with 'quantities of unsuitable presents' left in their place. E.H. Man directed some of the expeditions sent into Jarawa territory. In his opinion, such presents would more than compensate the Jarawa for the loss of their property. He remarks that 'our' Andamanese are afraid of the Jarawa and is unable to understand this, as he considered the latter quiet and inoffensive 'never molesting or annoying us, and only desirous of keeping away from us, while we were constantly annoying them' (cited in Portman 1899:718). Portman avers:

> *'It was unfortunate that, at the outset, the Járawas' huts should have been looted thus, and the presents left, being such things as matches, pipes, tobacco and looking-glasses, the uses of which were unknown to these savages, were useless to them, and by no means compensated them for the articles taken away' (ibid.:718).*

This state of affairs continued until the 1880's, after which there was an escalation in the extent of forest clearing by the British. It is when Portman is appointed as administrator in 1879, that the pace of deforestation, in what was already known as Jarawa territory, was increased, so that:

> *'Expeditions in search of Járawas were able to move rapidly along these tracks with rations, etc., and thus I established headquarter stations in the Járawa country, and saved much time and toil by not working through the thick jungle' (ibid.:726).*

As the Jarawa steadily retreated in the face of these incursions, the British stepped up their efforts to 'know more' about them and 'befriend' them. Every time a Jarawa camp was discovered in the forest, tracks would be cut from the nearest British clearing to the site, 'in order to use it as a headquarter station from which the Jarawa could be searched for' (ibid.: 729). In his Annual Report for 1882-83, Mr. Godwin-Austin acknowledges that:

> *'The Járawas have given more trouble during the past year than hitherto, which I am able to account for only in one way. During the past year much has been in the way of opening*

The Andaman Islands are a cluster of 204 small and large islands in the Bay of Bengal, extending over 350 km in length and 52 km in breadth, covering a landmass of 8393 square km (Chakraborty 1990). The Andaman group of islands is divided into Great Andaman and Little Andaman. Great Andaman is made up of three main islands, North, Middle and South Andaman, and includes Ritchie's Archipelago, Interview Island, Rutland Island, and several adjacent lesser islets (Basu 1990). Port Blair is the administrative capital of the Andaman and Nicobar group of islands, situated at a distance of 1200 km east of Madras, and 1090 km south-east of Calcutta, midway between Myanmar and the northern tip of Sumatra.

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out tracks though their country...which they probably took to be a move on our part to hem them in and so capture them on their first appearance' (cited in Portman 1899:735).

Not surprisingly, a beleaguered Jarawa response to this kind of harassement changed from retreat to one of outright attacks on anyone encountered in the forest. Exacerbating the situation was the Andamanese encroachment into these parts. Emboldened by the protection conferred on them by the British control of the islands, the Andamanese visited and occupied parts of the forest into which they would never have ventured without risking an encounter with the Jarawa. From this point onwards, convicts and Andamanese working or hunting in the forest were regularly attacked and killed by the Jarawa. Deploring the state of relations with the Jarawa, and the hopelessness of trying to track them in the dense forest, Portman appraises the situation:

'At the same time the present state of affairs is not without its advantages, and though I fear that the Járawas will continue for some time to be a source of annoyance to the Settlement, yet they will certainly shoot any runaway convict they may meet, and the knowledge of this acts, I think, as a deterrent to convicts who think of escaping' (ibid.:750).

As the Jarawa relocated from their former territory further northwards, into the forest previously occupied by groups of the Aka-bea-da who had become extinct, expeditions were sent out in their pursuit. If the rationale for such a course of action appears inexplicable, Portman is at pains to elucidate in his Annual Report for 1893-94:

'Our only chance of becoming acquainted with the Járawas who at present appear to be hopelessly hostile, is by capturing some of the young men, as was done with the Onges of the Little Andaman, and keeping them apart until they are really friendly. At present any meeting between them and the other Andamanese ends in a fight, and I have, therefore, instructed the latter in the Middle Andaman to capture such Járawas as they may meet, if possible without wounding them, and bring them in to me' (ibid.:756).

Even at the risk of further transmitting the epidemic of measles, these relentless efforts to bring the Jarawa within the British fold did not cease.

'I am of the opinion that the only way to catch the Járawas will be by sending out armed parties of Police and convicts, as was done on former occasions when they have been caught, and using our Andamanese merely as trackers, as they are too afraid of the Járawas to make any real effort to catch them when alone and unsupported with firearms. There are few Andamanese now alive who are acquainted with the Járawa territory, and those few are old' (ibid.:761).

No dissonance is perceived in acknowledging the dwindling Andamanese population with the efforts to bring yet another group within the domain of British control. Portman's final word on the Jarawa is as follows:

'In order to tame them, they must be caught, and it is this catching which is so difficult...Once caught, they might be kept with the Officer in charge of the Andamanese until they are to a certain extent tamed, and learn a little Hindustani; they might also be taught to smoke, thus establishing a craving which intercourse with us can alone satisfy;...Possibly, after this treatment, some of them, if returned to their own homes, might be the means of inducing the others to become more friendly. The principal difficulty, after they have been caught, in carrying out the above policy, is, that in captivity, the Járawas sicken and die' (ibid.:766) [1].

The situation steadily deteriorated with a corresponding increase in the number of mortalities on both sides. At every census operation conducted by the British, (starting from 1901, and repeated at every ten year interval), large-scale punitive missions were mounted against the Jarawa.

Towards the tail end of the British control of the islands, Jarawa retaliation took the form of raids and attacks at the settlement itself. The Japanese occupation of the islands (1942-1945), and the death of four Japanese soldiers, prompted indiscriminate bombing and shooting in several parts of the islands, including the Jarawa territory, which is believed to have further compounded the situation.

The past two decades

The Jarawa have continued to display an unpredictable front, despite the concerted efforts made over the past twenty five years by the Indian administration to initiate and maintain 'friendly contact' with them. Sarkar (1990) discusses some of the 'momentous' occasions which are perceived as a major turning point in the ongoing ambivalent relations with the Jarawa. The continuities with earlier British policies are remarkable. More astonishing is that these connections are cited as an affirmation of present policy.

'In 1968, 3 Jarawa boys were captured...and brought to Port Blair, where they were kept for a month under the observation of 2 anthropologists of the Anthropological Survey of India. They were treated well and then set free near their area with a large quantity of gifts' (Pandit 1974 cited in Sarkar 1990:51)...'In fact, the method adopted by Portman 1879-1894 was followed' (Sarkar 1990:51) [2].

Whitaker and Whitaker (1984) note that:

> *'From 1974 onwards regular contact has been made with the Jarawa at their coastal camp at Chotaling Bang (Middle Andaman). In 1981, another group in South Andaman was contacted using the Chotaling Bang Jarawa as go-betweens. The latter were taken to Strait Island and shown the Andamanese settlement there.' (ibid.:13).*[3]

The health hazards of such contact with outsiders is blithely ignored, and the enormity of the risk of taking the Jarawa to Strait Island where one or more Andamanese chronically suffer from tuberculosis is chilling. As Zai Whitaker (1984) urgently points out, 'even an influenza virus could prove fatal to people with no immunity to civilization's diseases' (70). She goes on to remind those who have become rashly forgetful of the tragic consequences of such imprudent tactics in earlier times in the case of the Andamanese and the Onge.

On the flip side of the 'breakthrough in the situation' are the continuing sequence of 'Jarawa incidents', when trespassers or poachers encountered in Jarawa territory are usually attacked and killed. Or the periodic raids that are made on nearby villages every month around full moon, for metal implements and utensils, bananas, coconuts and cooked rice (which are standard items given to the Jarawa during 'contact' trips). Roger Whitaker (1985) asserts that the most serious threat to the Jarawa in the present is the increasing human pressure on the islands, and the continuing encroachment into their territory which is prime hunting and fishing land. He observes that the Jarawa now use metal for their arrowheads and are willing to undertake considerable risks to obtain it, raiding road-building camps, forest ('Bush' police) camps and farms. As the number and scale of 'Jarawa incidents' indicate, receiving media attention only if there are deaths on the Indian side, the settlers, illegal encroachers and the 'Bush' police, without formal government approval, take it upon themselves to launch a mini-war against the Jarawa. In this connection, an earlier Lieutenant-Governor, the highest executive authority in the islands was heard to remark that the Jarawa 'menace' could be ended once and for all, by rounding them up, and holding them in some place where they would be unable to 'cause trouble'. Meanwhile, the administration continues to allot land to settlers, or legalize encroachments along the borders of the contested forest tract. For the Jarawa too, as Mukerjee (1995:20) recognizes, it has been a declaration of war. She reports of an incident earlier that year when 'the tribe attacked a forest outpost, impaling a woman and slaying a calf'. Dogs and elephants, which are associated with settlers, are regularly killed, but 'in the process they have protected the pristine forests of their territory, along with its unique wildlife' (ibid.).

Some salutary lessons may be drawn from recalling the early days of British contact with the Andamanese, when similar 'plundering' by night and acceptance of gifts by day were regular occurrences. Portman cherished no illusions when he observed, 'we must admit the unflattering fact that it is not any particular love for us, but

Jarawa run to meet the 'contact' boat. Photo: The author

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chiefly the greed for [goods and] food which tempts them to the Settlement' (Portman 1899:412).

The current tragedy

A new crisis was precipitated in August last year with the outbreak of measles and subsequent respiratory complications, including tuberculosis and conjunctivitis, among the Jarawa (Ali 1999, Bedi 1999, Sekhsaria 1999). To date there have been 140 reported cases in a total estimated population of 300 people. These illnesses have followed stepped up efforts by the Andaman government to 'befriend' the Jarawa and intensified encroachments into their territory. Such chilling news reports trigger historical recollections of similar epidemics among the Andamanese and Onge during the British colonial period, which decimated their population, rendering several territorial groups extinct. They also recall the Whitakers' grim warnings issued during the early days of Jarawa contact.

To add to the ongoing crisis in August, a local lawyer in Port Blair, filed a writ petition asking for the 'rehabilitation' of the Jarawa like the Andamanese and Onge. The Port Blair based Society for Andaman and Nicobar Ecology (SANE) in turn, filed an intervention against such a move, arguing that it would only expose the Jarawa to further diseases. Survival International, a London based activist organization, issued a worldwide call to anthropologists and others to send testimonials denouncing the writ petition. At present, the case on behalf of the Jarawa is being handled by a human rights law firm in Mumbai.

Meanwhile, rallying to the cause of the Jarawa, anthropologists, local and international activist organizations and other concerned people are pressing the Andaman administration for all forms of contact with the Jarawa to be terminated, and to close the road running through their territory, but as yet to no avail. By ignoring the lessons of history across the world, and perpetuating the same process with the Jarawa, the Indian government and the Andaman administration, are, in effect, responsible for, and guilty of undertaking a process of genocide. Hence, it is a double-edged sword hanging over the Jarawa: death as a result of genocidal policies by the Indian government, or a slower one through the process of ethnocide, brought about by efforts to make available to them the enticements of the modern world. On the other hand, the Jarawa have withstood two centuries of onslaughts from two different colonial governments, consistently maintaining contact with the outside world on their terms, and may yet prove to be survivors of this latest crisis to befall them.

Notes

[1] It is not unduly harsh to characterize the British colonial effort as the first of the major drug-trafficking networks that have taken the forms that we see today.

[2] It should be mentioned that for want of any other alternative accommodation, the captives were housed in the Cellular jail.

[3] These gestures are reminiscent of Portman's or other British officers' policy of taking the Andamanese and Onge to Port Blair or Calcutta to impress them with the 'wonders and pleasures of civilization'.

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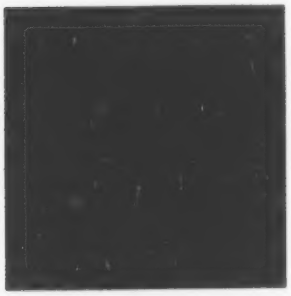
THE ORANG KUBU OF SUMATRA

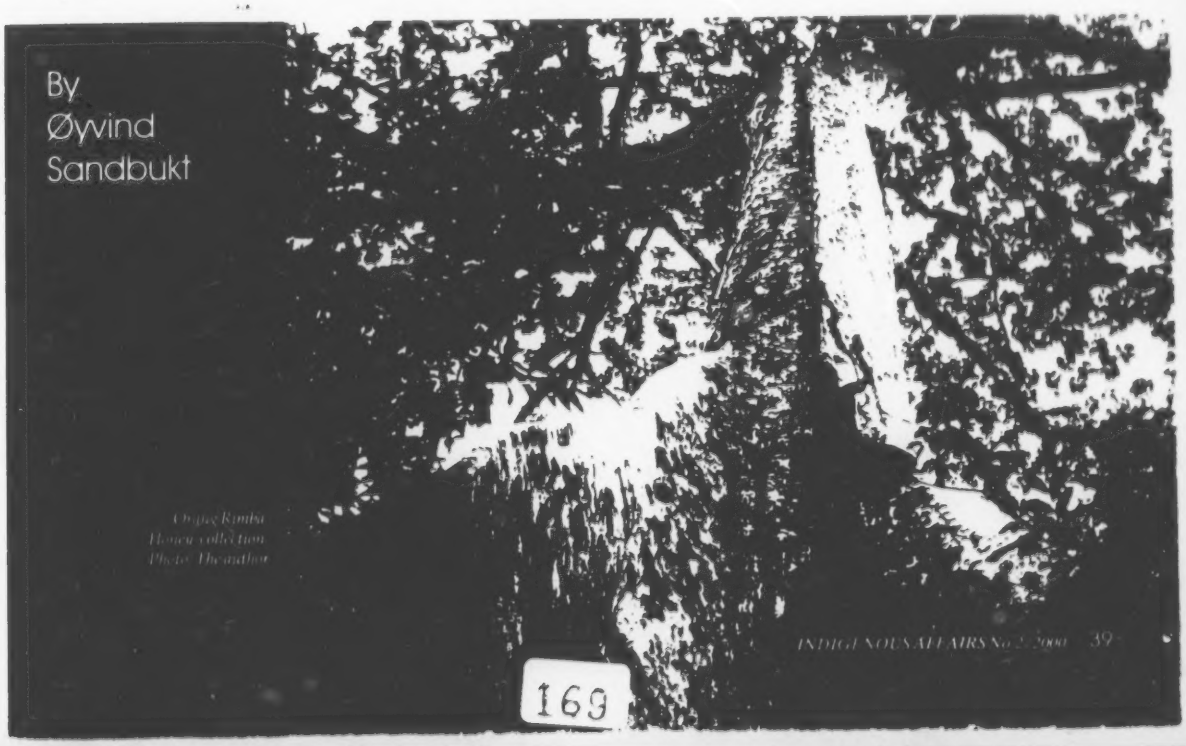
Deforestation and the People of the Forest: the Orang Rimba or Kubu of Sumatra



Kubu or Orang Kubu[1] is a name applied to the forest dwelling people of southern Sumatra by the general Malay population. A small and scattered minority, the Kubu have been dominated, economically and politically, by the Malays and their polities, which were focused on the river-based kingdoms historically associated with Jambi and Palembang. The Kubu have tended to limit and sometimes even avoid contact with surrounding communities. Knowledge and understanding of the Kubu by outsiders have thus been limited or even highly distorted.

The Kubu or, rather, Malay myths about them, were discovered by the world of anthropology in the late 19th century when evolutionists were looking for true primitives or even 'missing links'. A number of anthropologists travelled to Sumatra in search of the Kubu. Among them was Bernard Hagen, who also systematized other reports and in 1908 published a monograph: *Die Orang Kubu auf Sumatra*, which has since been the standard source on the Kubu. [2]

By Øyvind Sandbukt



Orang Kubu
Hoover collection
Photo: Unknown

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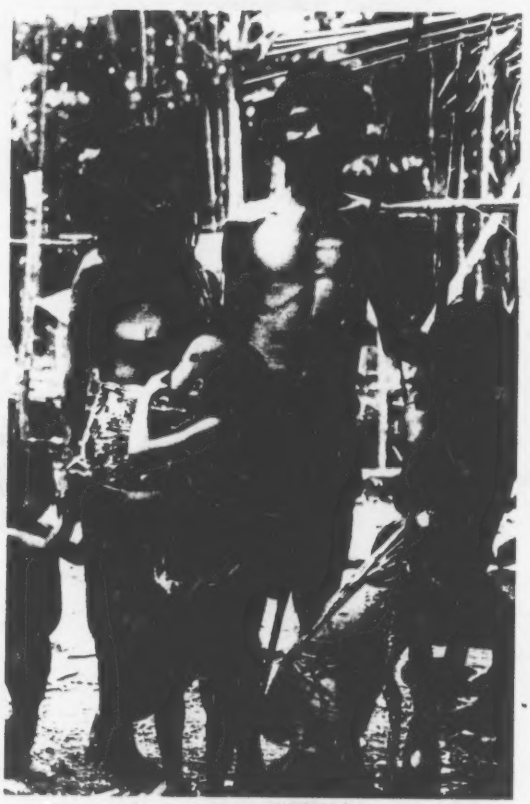
1 Location of Orang Rimba group
— Sumatran highway and main provincial roads

Orang Rimba family. Photo: The author



Combining extrapolation from his own observations of sedentarised or 'tame' Kubu with reports of 'wild' Kubu, who were thought not only to have existed in the past but might still be found in some isolated areas, Hagen proceeded to characterize what he assumed would have been a pre-Malayised, truly aboriginal Sumatran forest people. Exceedingly timid and fearful of external society these had a tradition of shunning or fleeing from any contact with outsiders. Forest produce was originally obtained from them by the so-called 'silent trade' in which goods would simply be left behind at certain sites. There they would be replaced with reciprocal gifts without any of the parties ever meeting face to face. This mode of exchange was later supplanted by a system in which an especially trusted Malay, entitled jenang, acted as middleman between the Kubu and the outer world.

In Hagen's schema, the 'wild' Kubu stood at a virtually sub-human level of evolution. Their 'pre-matriarchal' social organization was of the simplest kind, based on an egalitarian and 'loose' relationship between husband and wife. The children, as soon as they were able to procure their own sustenance, would separate from their parents and nomadise on their own. There were no transcendental conceptions of any kind and their dead and dying would simply be left behind. In sum, the wild Kubu were only slightly 'above those creatures without the power of speech that inhabit these forests alongside them'. It took nearly two decades before the anthropologist Paul Schebesta offered an alternative perspective. Having had extensive fieldwork experience among forest people in the Malay Peninsula, Schebesta in 1925 spent a couple of weeks in the general area visited earlier by Hagen. In Schebesta's view, the Kubu were of the same stock as the so-called proto-Malays in the Malay Peninsula. They had thus always had a tradition of swidden cultivation, but due to the depredations of Malays, they frequently did not dwell within their fields and some may have 'regressed' to a nomadic existence. [3]

The swidden cultivators: People of the Nine Chiefs

What was not known at the time was that there were two distinct ethnic groups behind the name Kubu. (This became clear only in 1985 when the author undertook a distributional survey of Kubu groups in Jambi and South Sumatra. [4]) The first are the traditional inhabitants of the very large midstream part of the area between the Batang Hari and Musi rivers. They are swidden cultivators and analogous to the groups inhabiting other major interfluves formed by the main river basins in the eastern lowlands of Sumatra. This population is the one visited in 1906 by Hagen and in 1925 by Schebesta. These Kubu did in the past indeed evince considerable reticence in relations with the outside, including avoidance of unknown or

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untrustworthy visitors, but to greater or lesser extents so did the other groups inhabiting the interior such as the Talang Mamak and the Sakai.

On the Jambi side of the border with South Sumatra province, although they still are generally known by the name of Kubu, they refer to themselves as Orang Batin Sembilan, People of the Nine Chiefs, or, more generally, Orang Dalam, People of the Interior. They have now intermarried quite extensively with migrants to the area, profess adherence to Islam, and are integrated into the 18 village entities (*desa*) that have been formed in their area. Their main problem is that they have to a great extent lost not only their forests but also their agricultural lands to a combination of large plantations and a large number of land-seeking migrants.

Nomads of the forest: Orang Rimba

The other ethnic group subsumed under the name Kubu has a different geographic distribution. It is found throughout an area of some 30,000 km^2 that covers the transitional zone between the plains and the foothills of the Barisan mountain chain within the Batang Hari and the Musi basins. This area is characterised by extensive riverine branching. As a result, the interfluves – or land areas between the major branches – are numerous and relatively small. Local groups of Kubu inhabit the forested interior of these interfluves while Malays live in riverside villages. Each local assemblage of Kubu groups has, historically, thus been surrounded by Malays and they have had to cross rivers in Malay canoes to establish contact with Kubu groups in other interfluves.

These upstream Kubu refer to themselves as *Orang Rimba* (or *Orang Hutan*), People of the Forest, and to the surrounding Malays as *Orang Terang*, People of the Open. The name Orang Rimba reflects an identity that is very strongly associated with the forest and at the same time sharply contrasted with that of the Malays. A number of cultural and organizational characteristics are associated with and reinforce this contrast. In some ways the most significant of these characteristics is the capacity of the Orang Rimba to live and subsist as nomadic foragers, the only such case in Sumatra (excepting the boat-dwelling nomads of the coastal zone that are known as *Orang Laut*, People of the Sea). They are thus capable of subsisting on the wild foods that can be gathered and hunted, although most of them normally opt for a mode of swidden cultivation that, subordinated to a mobile way of life, provides greater subsistence security for a smaller input of effort and time than the gathering of wild foods. As collectors of forest products for trade, the Orang Rimba may also obtain food from middlemen as advance provisions in support of their work, or as supplies purchased with the proceeds. They may also obtain food in return for agricultural work for villagers.

It would appear that Orang Rimba nomadism is most basically an adaptation to the exigencies of living within confined spaces that are claimed as territories by potentially hostile and exploitative village communities. Malay villagers as well as the Orang Batin Sembilan and comparable communities of swidden cultivators within the major interfluves in eastern Sumatra have a tradition of collecting forest products for trade similar to that of the Orang Rimba. While the Orang Rimba generally move to collecting areas within the forest as family groups, these other peoples generally operate from a sedentary or semi-sedentary base (a settlement or a swidden field house) and do so in all-male work parties while women and children remain at base. There is thus no ecological imperative linking forest collecting and nomadism.[5]

Within the interfluves that they inhabit, groups of Orang Rimba are generally associated with specific minor river basins where they claim rights to resources, such as fruit trees that have been generated as a result of past swidden cultivation, or certain giant trees that are tended because bees hive in them. While residential groups may leave these home ranges, sometimes for extended periods, they usually return. Movements to other areas, including other interfluves, are facilitated by networks of kinship that are generated by an uxorilocal marriage pattern in which males are required to seek wives in other groups and take up residence with these. Local groups are thus generally based on closely related females, i.e. sisters or mother and daughters.[6] Actual composition at any given time varies very considerably, however, as there is active visiting and temporary co-residence for a number of purposes, social, economic and ritual. The most stable co-residential group configuration is associated with a swidden complex in which several families share a location. However, after an initial period of guarding against pests and then harvesting, the field is often abandoned as a residential site and treated as a food depot where provisions, especially large stores of manioc tubers which continue to grow, are regularly fetched.

Their cultivation, though subordinated to a highly mobile residential pattern, is not the desultory effort that it may seem when compared to those of sedentary villagers, but a highly efficient production of a basic supply of dietary starch. When the forest fails to provide adequate livelihoods because it has been destroyed or over-exploited, they thus have recourse to agriculture provided that land is available. Planting fruit trees and other useful perennials in their fields has been an important part of their cultivation pattern, serving to mark rights to the land as well as to intensify the resources of the forest. While Malays have planted rubber trees (*Hevea brasiliensis*) in their swidden fields since the early years of the 20th century, and thereby transformed their economy from the earlier forest-based one, the Orang Rimba have until recently tabooed rubber planting. The implication of planting rubber, which then becomes a very important subsist-

ence resource, is a strong commitment to a given locality and a sedentary lifestyle that are not in keeping with their mobile one. However, in recent years, this taboo has been widely dropped because rubber plantings are now seen as the main substitute for dwindling forest products and thus their best guarantee for the future.

Deforestation and prospects for the future

The last couple of decades have brought drastic changes to the world of the Orang Rimba. Large tracts of the forest in which they have lived have been cleared to make way for transmigration projects and plantations, after first having been extensively degraded through logging.[7] The remaining areas of forest are under very heavy pressures from both legal and illegal activities. The expansion and improvement of road infrastructure have facilitated access to areas that were previously isolated. In Jambi, which is the province where most of the Orang Rimba are found and for which the best information exists, their present situation and prospects may be shown by looking more closely at their three main areas or regions of distribution, which afford instructive contrasts.[8]

The region of the Sumatran Highway

The region transected by the Sumatran Highway in the westernmost part of the province is the most drastically transformed of the areas inhabited by the Orang Rimba. The road has facilitated large-scale development projects requiring huge tracts of land and, with its many feeder roads has provided very efficient access and thus acted as a magnet on migrants. The highway cuts across the major interfluves and the home areas of the Orang Rimba. Even so, there are very considerable differences between the various interfluves with regard to how far and how quickly deforestation has progressed, and thus with respect to the situation of the Orang Rimba groups found there. In all, there are some 1,260 Orang Rimba individuals dispersed throughout this region.

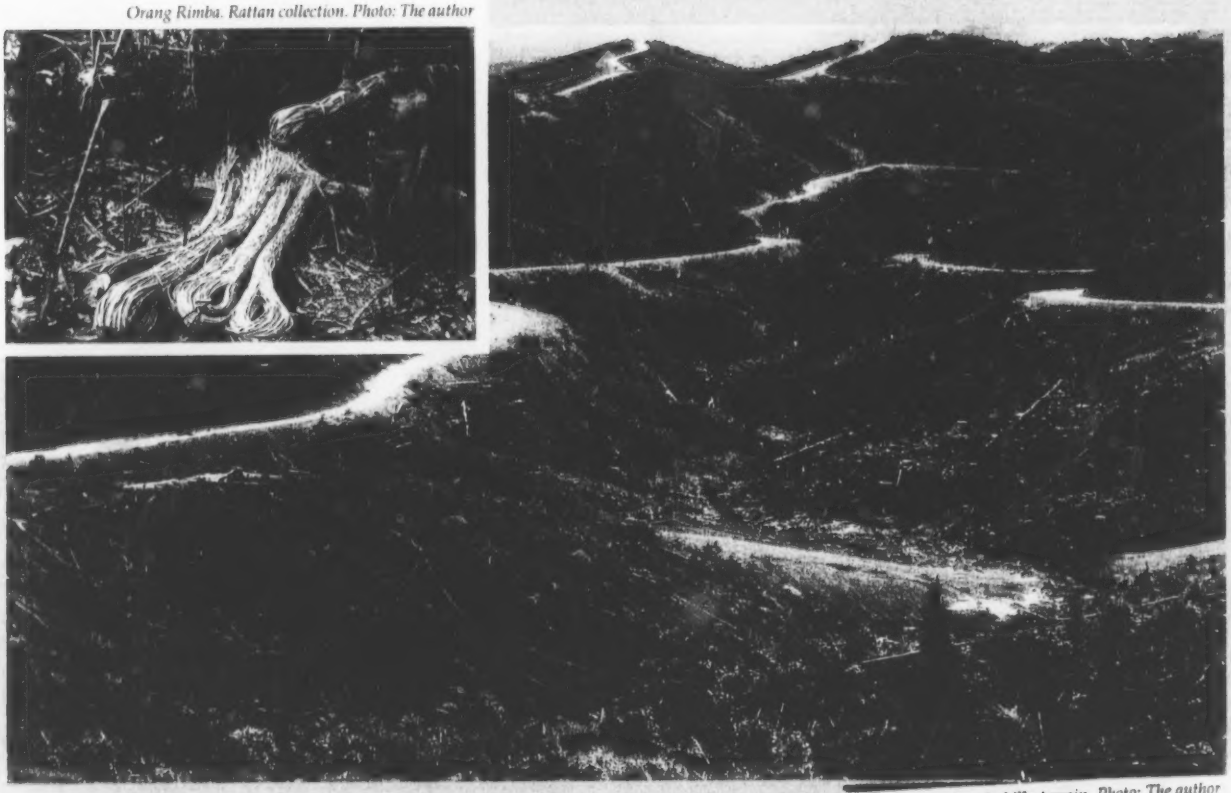
The Orang Rimba in the southernmost part of this area, i.e. between the Tembesi River and the South Sumatra provincial border (population: 484), are comparatively well off in terms of subsistence resources. Although deforestation is nearing completion here too, except in the upstream Barisan foothills, the Orang Rimba have on the whole had both the foresight and opportunity to secure reasonable agricultural resources by establishing holdings of rubber.

In contrast, in the neighbouring Tembesi-Merangin interfluve deforestation has been far more rapid and wholesale because of the Pamenang and Kubang Ujo transmigration projects and the associated oil palm plantations. Consequently, the Orang Rimba in this area (population: 312) have not only lost their forest habitat and resources, but have been left with inadequate land or without land altogether to develop alternative livelihoods based on rubber cultivation. Those who possess small pockets of rubber plantings in-between the oil palms are apt to tend these relatively intensively and even grow secondary crops among the trees. Villagers have cleared the remaining forest around the transmigration settlements and just about the only way additional land can be obtained by the Orang Rimba is by purchasing old swidden sites with or without rubber from the villagers at around 1 million Indonesian rupiah per ha, which, in fact, a couple of Orang Rimba households have managed to do. Although, in general, transmigrants and villagers alike informally recognize Orang Rimba land planted to rubber, their attitudes vary considerably from one village to the next, and there are instances of Orang Rimba land having been unfairly taken over. Interestingly, despite the devastation of their habitat and resources in their core areas in the Tembesi-Merangin interfluve, only a few of its Orang Rimba inhabitants have abandoned it in favour of other areas.

The areas between the Merangin and Tabir Rivers and between the Tabir and the Pelepat, have also been extensively deforested by two large transmigration settlements, Hitam Ulu and Kuamang Kuning, the impact again compounded by linked oil palm plantations. In this area, the Orang Rimba inhabitants of the Teleh sub-drainage of the Tabir have sought refuge in the vicinity of the Bukit Tigapuluh National Park in the northernmost part of the province. Several groups in the Merangin-Tabir interfluve (population: 101) are far less oriented towards cultivation than Orang Rimba in general, and maintain a highly nomadic existence. Some of them have specialized in procuring a range of magico-medicinal forest products, which the men peddle at a roadside restaurant, wheras women and children may engage in begging. The groups that remain between the Tabir and Pelapat rivers (population: 117), in contrast, are quite committed to cultivation and now systematically plant rubber in their swiddens and still have an opportunity to expand those plantings.

The interfluve between the Pelapat and the Bungo rivers has so far not been subject to large-scale deforestation, but several large plantations are reportedly under planning for this area. Meanhile, the agricultural frontier of villagers has encroached on the interior inhabited by the Orang Rimba to the point of nearly overrunning the traditional swidden locations of the latter, which used to be in fairly deep forest. The Orang Rimba groups (population: 145) in this area too are now planting rubber to mark their land rights and to establish a subsistence resource for the future in lieu of dwindling forest products. Rather than moving to the large tracts of hill forest further upstream, the Orang Rimba tend to focus on their more downstream

Orang Rimba. Rattan collection. Photo: The author



Deforestation in hilly terrain. Photo: The author

Orang Rimba in dwelling outside the forest. Photo: The author

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locations probably in part because future dependence on rubber makes good access to transportation quite important.

The area between the Bungo River and the West Sumatra provincial border has by now been more or less completely deforested and, as far as is known, all the Orang Rimba in this area have left and sought refuge elsewhere, in the Pelepat-Bungo interfluve, in the Bukit Tigapuluh area, and even in West Sumatra. The area is now dominated by the Rimbo Bujang transmigration project, one of the earliest of such projects in Jambi, and by more large-scale oil palm plantations developed more recently.

The remaining lowland forests in the areas bisected by the Sumatran Highway are highly fragmented and, given the high and increasing land use pressures, it is only a matter of time before they are cleared to make way for a mixture of plantations, settlements, and a mosaic of smallholder fields. What needs most of all to be done then as far as the Orang Rimba are concerned, is to restore land rights, through purchase if necessary, to those who have lost their land, and to provide security of tenure to all since experience has shown that they are especially vulnerable to various pressures or short-term incentives to part with their land.

This general region and particularly the hilly upstream parts to the west of the highway also belong to the wider buffer areas surrounding the Kerinci-Seblat National Park. While dwindling fast, the hill forests should be retained either as permanent production or protection forests to serve as a de facto habitat extension and buffer to the park or, in part, even be incorporated into the park itself. Protection of these forests could obviously be of benefit to the Orang Rimba, but depending on the management regime imposed might also imply restrictions where the Orang Rimba are deemed to be a threat, particularly to rare species. It might be appropriate, therefore, to incorporate support for the rubber planting activities of Orang Rimba, including actions leading to security of tenure.[9]

Bukit Tigapuluh region

The second region in Jambi inhabited by Orang Rimba comprises the northernmost parts of the province, namely the area between the Batang Hari River and the Bukit Tigapuluh hills where the Riau-Jambi border is situated. This area in effect constitutes the extended buffer zone of the Bukit Tigapuluh National Park, which was established over 127,000 ha in 1995, straddling the provincial boundary. The buffer zone remains substantially forested with active timber concessions. Accordingly, the Orang Rimba in this area (population 364) remain strongly oriented towards collection of forest products. While they do practice swidden cultivation, they do so at widely scattered sites, which serve as base camps for their forest-oriented activities.

Although the forests in the area constitute a vital buffer and a habitat extension of the recently established Bukit Tigapuluh National Park, three of the logging concessions bordering directly on the park have been designated for conversion to wood plantations. Already one large plantation has been developed in conjunction with a transmigration project right in the middle of the fourth forest concession, radically increasing access to the area and starting an inexorable process of fragmentation of the remaining forest. There has been a huge increase in illegal logging by local villagers and other parties, which, if it continues unchecked, will soon degrade the forest to the point that conversion to plantations is a foregone conclusion. This concession was in fact designated by the Indonesian Department of Forestry as a model concession for sustainable natural forest management, with the support of a substantial technical project funded by Britain. As it is, the concessionaire, in addition to developing the timber plantation, is vying with other parties for rights to establish oil palm plantation on part of the remaining forest.

The relatively small size of the Orang Rimba population in this fairly large area makes it unrealistic to argue for the retention of forest solely for the sake of their interests. The key, therefore, to advocacy on their behalf lies in combining their habitat and resource interests with other interests that require protection of natural forest. The interest of biodiversity conservation would be very importantly served by keeping permanently the buffer zone forest around the southern perimeter of the national park. When the park was established in late 1995, only 30,000 ha were added to it in Jambi. This area corresponded to the existing protection forest whose odd elongated shape and low surface to perimeter ratio render it poorly suited for park management. Retention of the buffer zone forests, relatively degraded though these may be, means lasting extension of the habitat available to many species in the park and will thus help ensure long-term viability of some species. The buffer forest will also help absorb a number of human activities that otherwise would be directed at the park itself. Moreover, the parts of the forests to the south of the park where the terrain is relatively level is an important elephant habitat, which the park itself does not afford on account of its extremely serrated terrain. As noted, steep slopes extend to much of what is now classified as limited production forest but designated for conversion to forestry plantations. According to existing regulations, slopes above 40 per cent (i.e. 18 degrees) should be completely protected, while the slope limit for plantations is 25 per cent. The rationale of these regulations is to limit erosion and protect hydrological functions.

To these public conservation interests can be added the equally public interest of retaining at least some natural production forest for the future even though short-term private profits may be better served by converting concessions to timber plantations. A major new factor in this equation is the presence of large paper pulp mills whose

technology is capable of handling almost the entire range of tree species. Hence there is now an immediate huge windfall in clear felling the forest whereas in the past this would entail a major expense. If any natural production forest is to be retained, it would make sense to locate it to the vicinity of national parks and other conservation areas where a number of useful functions would be served. The urgent need in relation to the public interests as well as the resource interests of the Orang Rimba, which can be accommodated to both protection and production function of the forest, is to produce the requisite documentation and strongly advocate retention of the forest surrounding the Bukit Tigapuluh National Park.

Bukit Duabelas region

The third of the regions in Jambi inhabited by Orang Rimba is centered on the Bukit Duabelas hills which constitute the geographical heart of the province where 5 of its 7 districts meet. The western parts of this area, which are close to the Sumatran Highway, have been directly affected by transmigration projects and oil palm plantations, and the remaining areas are under imminent threat of conversion of timber and oil palm plantations except, that is, for an area of about 26,000 ha that covers the actual hills. This area was designated as a nature reserve in the National Conservation Plan of 1982, and in 1985 proposed by the provincial government as a biosphere reserve, but neither has been implemented. The surrounding forest is subject to agricultural incursion and widespread degradation through illegal logging, which is now also threatening the designated reserve.

Already, the western approaches to the hills have been denuded by the Air Hitam and Kuamang Kuning transmigration projects in conjunction with extensive oil palm plantations. Timber and oil palm plantations are due to consume the permanent production forests to the east of the hills, and a timber and rattan plantation has been planned to replace the limited production forest to the north. The designation of the central hilly parts as the Bukit Duabelas Biosphere Reserve was apparently based on the assumption that this would take care of forest protection functions, conservation needs, as well as the resource interests of the Orang Rimba (population: 1,208).[10] As it happens, those interests are primarily linked to the more fertile and resource enhanced midstream and downstream parts of the rivers that drain the Bukit Duabelas.

Safeguarding the traditional resource and land rights of the Orang Rimba in the Bukit Duabelas area merits consideration as a national priority, and is worthy of international attention and support. Not long ago, two of the Orang Rimba were killed as they tried to restrict access of loggers engaged in operations leading to clear felling. Geographically and in cultural terms, this is the Orang Rimba core area, where the inhabitants more than elsewhere maintain their traditional institutions and way of life. Theirs is a truly unique tradition that is rich in terms of environmental knowledge and ritual expression.[11] The dramatic marginalisation of the Orang Rimba in other parts of Jambi makes it all the more important that they be allowed to maintain this central enclave where their culture and identity remain particularly strong. The idea is of course not to expect them to remain changeless, but to accord them the right and the opportunity to adapt to a changing world at their chosen pace. The minimal condition for this is that Orang Rimba are allowed to retain the key area between the hills and the Tabir River under their own traditional system of resource management. Most of this area is actually designated in official provincial plans as limited production forest which means that, as a matter of policy, it should be kept under permanent forest cover. As it happens, most of the area has been given to a state company to clear it for timber and rattan plantation development.

Precedence now exists for establishing this area under traditional law management. In January 1998 the Minister of Forestry made a path-breaking decision on forest management in Lampung. Some 29,000 ha consisting of protection forest and limited production forest were designated by decree as a so-called Area with a Special Purpose to be managed by local communities under customary law. The traditional communities in West Lampung have over generations enriched the area with useful trees, particularly dammar-producing trees. As noted before, the Orang Rimba have enriched their forest areas by planting or promoting a wide variety of trees and other useful plants in what may be characterized as a low-intensity silvicultural system. It might be proposed, therefore, that minimally the limited production forest, which is some 30,000 ha in extent, be designated as a special purpose area to be managed by the Orang Rimba in accordance with traditional law. This area would thus be adjacent to the biosphere reserve where there could thus be a greater stress on biodiversity conservation.

However, the intensity of the pressures building up around the area in question and the level of conflict and complexity characteristic of relations between the Orang Rimba and village communities make the above option a difficult one to develop and maintain over time. A simpler course of action would be to expand the proposed biosphere reserve to cover the key areas inhabited and utilized by the Orang Rimba. The intentions of the original proposal, namely to support conservation functions as well as secure the traditional habitat of the Orang Rimba, would thus be more adequately fulfilled. Moreover, this solution would immediately provide a more unambiguous legal status to the area and a clear overarching management authority, a prerequisite (but not a sufficient condition) for defending the area against encroachment. An innovative management regime could be developed in

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which the Orang Rimba would have a key role based on traditional practices and institutions. A system of zoning developed on the basis of interactive research would integrate various forms of use with other key functions, such as biodiversity conservation and catchment area protection. In this way, the fundamental interests of the Orang Rimba could be combined with key public interests.

Action being taken

As part of the expansion of its activities into Asia (from its existing focus on the Amazon region in Brazil), the Norwegian Rainforest Foundation (NRF) has established a cooperation with the Sumatran NGO WARSI (Warung Konservasi Informasi). Under this cooperation a 5-year support project for the Orang Rimba and the protection of forest has been developed with financial support from NORAD (the Norwegian Overseas Development Cooperation Agency) and NRF itself, and been underway since mid-1997. The project is basically concerned with advocacy of Orang Rimba rights and sustainable forest management based on solid documentation, empowerment of the Orang Rimba themselves to take part, establishing networks and alliances for support, and engaging the media to amplify the message and putting additional pressure on decision makers. In line with the information and arguments outlined above, the main target of the project is to secure the implementation of an expanded biosphere reserve around the Bukit Duabelas. The process is already well advanced and a decision may be reached already this year by the competent authorities. [12]

The next target is to achieve protection for the natural buffer zone forest of the Bukit Tigapuluh National Park, for which documentation work is also proceeding. In addition to conducting extensive field surveys in this area and developing GIS documentation using time series satellite images, the WARSI/NRF project has also contracted detailed topographical mapping (1:10 000) and slope modelling of the roughly 85,000 ha of hilly terrain to the south of the park. The purpose is to provide incontrovertible documentation of terrain that meets the criteria for forest protection, especially against clear felling and plantation development. The mapping is based on detailed aerial photographs compulsorily made for the timber concessions in the area several years ago. Obtained from government archives, these photographs are thus at last being put to good use.

WARSI's work in relation to the Bukit Tigapuluh National Park is a cooperation with a WWF Indonesia project based in neighbouring Riau province. The WWF project, which is supported by WWF Norway and NORAD, is a direct follow-up of a major multidisciplinary research cooperation, known as NORINDRA, [13] between the University of Oslo, the Indonesian Institute of Sciences and several Indonesian universities.[14] The fieldwork was focused on the Bukit Tigapuluh area and in fact the national park came into being in large measure as a result of lobbying based on the research results. Implemented since 1994, the WWF project has primarily been concerned to safeguard the Bukit Tigapuluh ecosystem through buffer zone management and sustainable community development also covering areas used by the Orang Rimba.[15] Apart from the Orang Rimba, the inhabitants of the Bukit Tigapuluh region are the Orang Talang Mamak, an ethnic minority of swidden cultivators, collectors of forest products and rubber tappers, and traditional Malays, who form the majority and in subsistence terms do not differ much from the Talang Mamak. During the last few years, in response to hugely increased land use pressures and conflicts due to the recently opened Eastern Sumatran Highway, the WWF project has increasingly emphasised advocacy using direct and indirect approaches targeted at authorities with significant potential for influencing land use in and around Bukit Tigapuluh. There is close coordination and sharing of resources between the WARSI and WWF projects for advocacy action and the projects publish a joint quarterly advocacy and networking bulletin entitled Alam Sumatera & Pembangunan (Sumatra's Nature & Development).

As noted, the Orang Rimba in the western parts of Jambi province find themselves in what is in effect now the buffer area of the Kerinci-Seblat National Park. A major integrated conservation and development project (ICDP) for the park and its buffer zone supported by a World Bank Loan and a Global Environmental Facility grant is now being implemented in and around Kerinci-Seblat. Following criticism for having caused harm to the Kubu (Orang Rimba) through funding of transmigration settlements [16] and acting on recommendations for taking the forest people into account in the Kerinci-Seblat project, the Bank eventually mandated that one of the conditions for approving a loan in support of this project was that it include a Kubu subcomponent. The subcomponent was first to produce a baseline study and impact assessment, and second an action plan for the Kubu.[17] The impact assessment study has been conducted and has specified a need for some action to be taken within the context of the ICDP although the plan for such action, beyond preliminary indications, is yet to be formulated.[18] Meanwhile, WARSI has taken the matter into its own hands by initiating action, albeit with very limited resources, in support of the Orang Rimba in this area. The activities implemented so far include identifying and measuring pieces of land claimed by the Orang Rimba with a view to registering them with the appropriate authorities. They also include lobbying local government from the village up to help prevent a further marginalization of the Orang Rimba.

Empowering the Orang Rimba to actively take part in the struggle for their rights at all levels is a key aim of the WARSI/NRF project. In 1999 representatives of the Orang Rimba in the Bukit Duabelas area were brought to Jakarta to take part in the first national conference of Indonesian indigenous peoples. They proved effective communicators and, dressed in their loincloths, attracted a great deal of media attention to their plight. Subsequently, Orang Rimba representatives have become leading members of the Jambi chapter of a nationwide organization for indigenous and traditional peoples. More specifically, representatives of the Orang Rimba of the Bukit Duabelas area have been recruited into a joint forum that regularly meets and is meant to evolve into an organizational vehicle for managing an expanded biosphere reserve. A key publicity event on the way to obtaining this reserve was the bestowal of the Kehati Award for the year 2000 on WARSI's nominee, an Orang Rimba headman from the Bukit Duabelas area, who won over 102 other candidates from all over Indonesia. Receiving this prestigious award for local environmental action from the hand of the Indonesian Vice President, Megawati Sukarnoputri, in a nationally televised ceremony attended by ministers and other notables has given a considerable boost to the Orang Rimba and their WARSI supporters. Even so, securing a viable future for the Orang Rimba is going to be a long and difficult struggle. And part of that process, clearly not the easiest part, will be for the 'People of the Forest' themselves to decide what they will be in an increasingly deforested future.

Notes

[1] *Orang* in the Indonesian language and in Malay dialects, as well as those of the Kubu, mean 'people' and is generally used in conjunction with a specific name to indicate identity of a group, ethnic or otherwise.

[2] Bernard Hagen, 1908. *Die Orang Kubu auf Sumatra*. Veröffentlichungen aus dem Städtischen Völker-Museum, Frankfurt am Main. Frankfurt am Main: Joseph Baer & Co.

[3] Paul Schebesta, 1926. Kubu und Jakudn (Jakun) als Protomalayen. *Mitteilungen der antropologischen Gesellschaft in Wien*. 56:192-201.

[4] See Øyvind Sandbukt, 1988. Resource constraints and relations of appropriation among tropical forest foragers: the case of the Sumatra Kubu. *Research in Economic Anthropology* 10:117-156.

[5] See reference in preceding note for an analysis of Orang Rimba resource management and organization.

[6] For an analysis of Orang Rimba marriage and gender relations, see Øyvind Sandbukt, 1988a. Tributary tradition and relations of affinity and gender among the Sumatran Kubu. In: Tim Ingold, David Riches, and James Woodburn (eds.). *Hunters and Gatherers Volume I: History, Evolution and Social Change*. New York/Oxford: Berg Publishers.

[7] See Øyvind Sandbukt, 1993. *Evaluation of Impact of Transmigration Projects on the Kubu People in Jambi, Indonesia*. The World Bank.

[8] Unless indicated otherwise, the following is based on Øyvind Sandbukt and WARSI Team, 1998. *Orang Rimba: Needs Assessment for Resource Security and Development*. The World Bank and the Government of Indonesia.

[9] See Øyvind Sandbukt, 1995. *The Kerinci-Seblat National Park and the Kubu: Preliminary Assessment and Recommendations*. The World Bank.

[10] The earlier count of 1,014 from 1998 has been provisionally increased to 1,208 by the WARSI field project (see below) as of February 2000.

[11] See Øyvind Sandbukt, 1984. Kubu conceptions of reality. *Asian Folklore Studies* 43: 85-98.

[12] As part of the networking activities of the project, a website has been developed: www.warsi.or.id. Readers are encouraged to visit the site for additional information and news, or, through the messaging facility, to become engaged in support of the Orang Rimba.

[13] NORINDRA is short for Norwegian Indonesian Rainforest and Resource Management Project.

[14] This project was funded mainly by the Norwegian Research Council and the Norwegian Ministries of Environment and Foreign Affairs. Some 27 scientific papers from a wide range of disciplines represented in the project's fieldwork can be found in Øyvind Sandbukt and Harry Wiriadinata (eds.), 1994. *Rain Forest and Resource Management. Proceedings of the NORINDRA Seminar Jakarta 25-26 May 1993*. Jakarta: Indonesian Institute of Sciences (LIPI).

[15] A description of the initial project and the underlying analysis is contained in the following document: Øyvind Sandbukt and Lene Østergaard, 1993. *Bukit Tigapuluh Rain Forest and Resource Management. An Integrated Conservation and Development Approach*. WWF World Wide Fund For Nature and the Directorate General of Forest Protection and Nature Conservation, Ministry of Forestry, Republic of Indonesia.

[16] See Øyvind Sandbukt, 1993 and Pratap Chatterjee, 1994. Indonesian tribe hurt by Bank, says auditors. http://nativenet.uthscsa.edu/archive/nl/9406/0160.html; 1994a. World Bank fails to help tribe it destroyed. http://www.nativenet.uthscsa.edu/archive/nl/9408/0031.html.

[17] The World Bank, 1996. *Indonesia. Kerinci Seblat Integrated Conservation and Development Project*. Staff Appraisal Report. Agriculture Operations Division, Country Department III, East Asia and Pacific Region.

[18] *Final Report. Kubu Development Study*. Kerinci-Seblat ICDP Part B (Area/Village Development Component). Kerjasama antara Kerinci-Seblat ICDP Propinsi Jambi dan Pusat Penelitian IAIN Sultan Taha Saifuddin Jambi. Bappeda Propinsi Jambi. 1999.

Oyvind Sandbukt *is a social anthropologist who received his education at the London School of Economics and Political Science and the University of Cambridge. In addition to major field research on Orang Laut/Kuala sea nomads and Orang Kubu and other forest dwellers in Sumatra, he has organized multidisciplinary research on forest and resources management for the University of Oslo. He has lately been based in Indonesia as a consultant in development and environment, also providing advisory support to the NGO projects described in the article.* ❑

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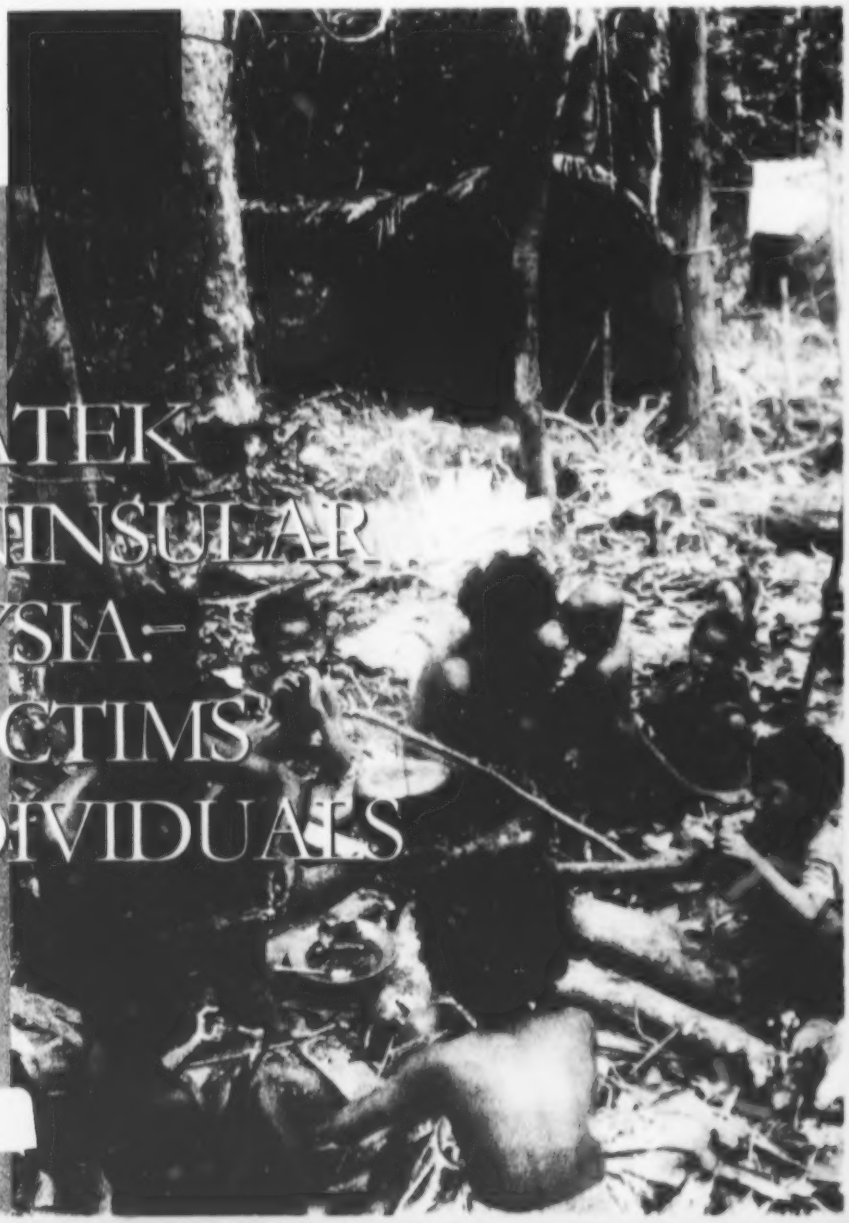
By Colin Nicholas

The Orang Asli are the indigenous minority peoples of Peninsular Malaysia. They numbered 106,131 in 1997 – representing a mere 0.5 per cent of the national population. The Orang Asli, however, are not a homogenous people. It is a collective term – meaning first or original peoples – for the 18 ethnic sub-groups officially classified for administrative purposes under Negrito, Senoi and Aboriginal Malay.

THE BATEK OF PENINSULAR MALAYSIA: THE VICTIMS OF INDIVIDUALS



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The Negritos (or sometimes referred to as 'Semang' by anthropologists), at just over 3 per cent of the Orang Asli population, is the smallest of these three categories. They are also the oldest and are believed by some to have been in the Malay Peninsula for at least 25,000 years. The present-day Negritos are the direct descendants of these early Hoabinhians, who were largely nomadic foragers, living in one location as long as the food supply was able to maintain the community. They still speak the Mon-Khmer (Aslian) languages of their ancestors.

While the Negritos are frequently portrayed as nomadic hunter-gatherers, the trend today is for them to increasingly live in permanent settlements. However, some groups still enter the forest for varying lengths of time, such as during the fruit season to practise opportunistic foraging, or to extract forest products (such as rattan and the incense-wood, gaharu) to be exchanged for cash. Such activities have often caused them to be labeled as nomadic and to be considered the more economically backward of the Orang Asli sub-groups.

Government policies (e.g. sedentism, integration) and government projects (e.g. hydro-electric dams, national parks) remain the major source of threat to the Negritos, especially to their traditional territories and to their ability to determine their own future. This is the case of the Jahai people of Northeast Perak and Kelantan, the Lanoh of North-central Perak and the Batek of Northeast Pahang and South Kelantan. The Kensiu people of Northeast Kedah, the Mendriq of Southeast Kelantan and the Kintak along the Kedah-Perak border are no less affected by the encroaching control over their lives by the state.

However, the state, as an ideological and political entity in itself, is not the only agency responsible for the Negritos' continued marginalization and impoverishment. The nature and source of control over the Negritos' lives are sometimes rooted in the perceptions and self-interest machinations of individuals or groups of individuals, with or without official backing. These individuals can, and often do, cause undue hardship to these peoples, further reflecting the latter's precarious position in the nation state that they now find themselves in.

The Batek community

To illustrate the 'power' some individuals can have, the case of the Batek community of Taman Negara, the National Park, is narrated here. In 1995, the Batek were unhappy with the private corporation managing the resort over losing their tourism business – especially for being displaced by others as guides for the lucrative Gunung Tahan trail, and also over an agreed royalty payment for the use of the image of a Batek boy on the resort's promotional products. The Batek protested and demanded their fair share.

The matter became a controversy in the local press because a German anthropologist, Christian Vogt, who was doing his doctoral fieldwork with the group, was accused of 'instigating and poisoning the minds of the Batek tribe to demand for their rights over a business deal with a local resort'. Despite positive statements supporting him and his work from his local academic sponsor, the Pahang State Chief Minister, the Department of Orang Asli Affairs (JHEOA), and even the minister responsible for Orang Asli Affairs, Vogt was forced to discontinue his studies and to leave the country. The local interests on the ground – the resort manager and some tour operators – thus succeeded in keeping the Batek in check and the promised royalty has yet to be paid in full.

In an October 1997 visit to this Batek community in Kuala Yong, Taman Negara, my colleague and I were not granted permission by the park management to go to the village, and no boatman would drop us off at the settlement. I was told that the settlement had been closed to all visitors, both local and foreign. Citing a complaint by the newly appointed Orang Asli senator, the Pahang State Government had apparently become concerned that tour operators in the national park were giving a negative image of Malaysia by allowing tourists to photograph the semi-dressed Orang Asli in their settlement.

Dress norms and tourist income

The State Culture, Arts and Tourism Committee Chairman, Shahiruddin Moin, said that, 'Although it is natural for women of the tribe to live half naked in the village, their photographs may give a wrong impression that Malays here are dressed in that manner' (*The Star* 3.8.1997). The State Rural Development and Growth Centre Committee Chairman, Omar Othman, was then assigned to look into the matter (*Berita Harian* 3.8.1997, 4.8.1997, *Utusan Malaysia* 4.8.1997). A sequence of events soon followed that resulted in a ban on visits to the Batek settlement at Kuala Yong.

My colleague and I were however able to meet up with the Batek affected and got to hear their side of the story. Without doubt, the Batek were visibly angry at losing an important source of income, estimated at about RM 2,000 (USD 525) per month for the ten families normally resident there. They saw the issue as a dispute between the Department of Wildlife and National Parks (DWNP) and Omar Othman. Some months before, the latter had gone to Kuala Yong on an official visit. Several bamboo poles were cut to build an archway and to make the tables for the welcoming ceremony. The Batek say that the officers of the Department of Wildlife and National Parks (DWNP) at Taman Negara were angry over this and threatened to fine the politician RM 500 for each bamboo pole, with the total fine coming to RM 36,000.00 in all. In the ensuing tiff between the two parties, the

Left: Batek family having a meal of gibbon in the forest. Photo: The author

Traditional temporary hut in the forest. Photo: the Author

DWNP officers saw, in Omar's recent statements about the dress norms of the Batek, an opportunity to get back at him. Thus, the village was closed ('tutup') and the Batek were to blame their suffering as a result of the closure on Omar's action. (However, a senior officer of the Department of Wildlife and National Parks headquarters in Kuala Lumpur maintained in March 1999 that the department had no role in the ban on visits to Kuala Yong – suggesting that perhaps local DWNP officials may be acting on their own accord.)

But the Batek also began to see the whole affair as a ploy by the DWNP to remove the Batek's income source to force them to seek alternative income sources, particularly non-timber forest products such as gaharu and rattan. Although it is illegal to harvest both products, some of the DWNP officers are said to be middlemen for the trade in these items.

The tourists are now taken further downriver to the more permanent (and more 'presentable') Semoq Beri settlement at Sungei Tiang, also on the Tembeling River. The boatmen now get to collect a return fare of RM 90 (USD 24), instead of only RM 30 (USD 8) if they were merely to bring tourists to the nearer Kuala Yong settlement. Thus, as the Batek have analysed, closing Kuala Yong to tourists has served to benefit several others, all at their expense.

The headman and two others followed us back to district capital of Jerantut to lodge a formal complain with the JHEOA director there. The Director absolved his department from having anything to do with the ban, and promised to contact the Wildlife Department within the week to try to resolve the matter. However, as of December 1999, the matter has yet to be resolved amicably.

The power of individuals

Policy-wise, the official position on this issue is difficult to gauge. In 1994, the then Malaysian Permanent Representative to the United Nations Commission on Human Rights, Musa Hitam, said in a speech to the UNCHR that,

> *'In Malaysia, we do not allow visits to indigenous settlements. This is not because of our fear of critical scrutiny but more because we do not want them to become objects of curiosity or tourist attraction'*

However, the seventh strategy in the JHEOA's current Programme Summary involves 'Gearing up Orang Asli activities in culture and the arts not only to preserve their traditions but also as a tourist attraction.'

In the case cited above, ignoring the apparent contradiction in policy, it is quite clear that the episode came about because of individuals who could – and were allowed to – exercise control over some aspect of the Batek's lives.

The case of the lost botanist

These individuals need not always be people in positions of political power. Ordinary individuals often can affect the material position of the Negritos, wittingly or unwittingly, primarily because of the marginalized position of these indigenous communities. This contention can be illustrated with the case of a visitor to the national park, Taman Negara, who got lost and blame for which was laid on her Batek-Negrito guide.

In 1996, a group of three men and two women hikers had engaged two Batek guides for the trek to Mount Tahan, the highest peak in the Peninsular and the popular destination of the more adventurous visitors. It is a very strenuous trek involving 5 to 9 days, depending on the fitness of the hikers and the weather. After 5 days on the trail, the arduousness of the trek was taking its toll on one of the women, a botanist. Her pace became very slow such that the other members of the group decided to leave her behind with one of the guides while they set off ahead at a faster pace.

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Batek family busy making bamboo crafts for sale to tourists. Photo: The author

According to the Batek guide, the botanist was soaking wet and had complained of uncomfortable shoes. During a snack break, she said she would go ahead first as she wanted to change into dry clothes. After loading up his backpack and relieving himself in the bushes, the guide treks down the trail but does not catch up with the botanist. Thinking that she had gone on at a faster pace, the guide proceeds all the way until the next base camp at Kuala Teku, a considerable distance away. At the base camp, the guide finds her teammates but no sign of her. Immediately, he goes up the trail again in an attempt to locate her. He finds one of her boots and her tracks. But her trail soon disappears at a stream.

A party comprising park rangers, Batek guides and Orang Asli para-military personnel searched a wide area downstream of where she was last known to have been. After three unsuccessful days they decided to check upstream. Sure enough, the botanist was found. She had ventured upstream instead of taking the logical way out by travelling downriver. (She is reported to have told a newspaper that she did so because she was unable to tell which way the stream was flowing!)

In the meantime, the distressed Batek guide became even more distraught when the blame for her being lost came to be centred on him (although clearly the weak leadership and team spirit of the group plus the actions of the botanist herself had a role to play in the incident as well). It is said that the Batek guide was so worried about the repercussions from the woman's family and friends that he hardly ate anything for a week. On the advice of an elder shaman, he hid in the forest for a month. However, after a month his brother advised him to stay longer and this he did, never to appear near the park headquarters even to this day.

In the meantime, however, the non-Orang Asli guides saw the incident as an opportunity to monopolise the lucrative guiding business to Mount Tahan. In the past when trekkers specifically asked for Batek guides, they were given various reasons as to why it was difficult to meet this request. The more common ones being that the Batek are 'somewhere in the forest and cannot be located' or that it was not their turn on the roster.

With the case of the missing botanist, this gave the Batek's competitors an opportunity to deny the Batek any guiding jobs from then on. Thus, the Batek, who were at one time the only ones who guided visitors to Mount Tahan, they are today deprived from enjoying any opportunity of deriving pecuniary benefit from this activity.

The above seems to suggest that the Batek are incapable of standing their ground or resolving a situation to their benefit. On the contrary, in June 1999, a section of the Batek community in the Taman Negara area decided to vacate their Kuala Yong settlement (which, as we discussed earlier, was closed to tourists by the park authorities) and set up a new settlement on the opposite bank of the river, and therefore out of the park boundary even though it was just a short distance above the park headquarters. This allowed for greater accessibility to the tourists who wanted to visit their community.

This settlement appears to be a temporary site, established primarily to exploit the cash opportunities afforded by the tourists. During a visit in August 1999, at the height of the tourist season, the Batek's decision seemed to be paying off for as much as RM 300 (USD 80) were exchanging hands a day. The tourists were buying even the hastily crafted bamboo souvenirs despite the bamboo being still green and coarsely hewn.

In conclusion, I should add that this article makes no judgement as to whether tourism is good for the Batek or otherwise. The aim is merely to demonstrate how individuals and parties can, and do, influence Batek lives and opportunities, and how the Batek react to reject any attempt to control their lives.

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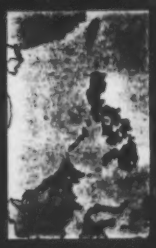

NEGRITO HUNTERS AND GATHERERS IN THE PHILIPPINES TODAY

Indigenous peoples with a food collecting subsistence strategy continue to inhabit the world's most marginal environments. In the Philippines Negrito groups are among the few remaining hunters and gatherers in Southeast Asia. The Spanish conquistadores first called them 'Negrillos' (Negrito) or small blacks. In the traditional anthropological literature, the Negrito people were also referred to as the Philippine pygmy.

By
Sabino G. Padilla, Ph.D.

Agta mother and children waiting for the pisan (band) hunting party to return (Nanadukan, Cagayan Valley) Photo: Lito Menor (1994)

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Filipino school children are still being taught the 'Negrito myth' - that the earliest inhabitants of the country were black mountaineers, a notion picked up by many writers during the heyday of 19th century social Darwinism. Henry O. Beyer, heralded as the father of Philippine anthropology, popularized this myth in his 'waves of migration theory' where his assertions continue to be the source of inspiration among Filipino historians on the origins of Philippine peoples.

A paramilitary Agta and his wife hauling a Narra log to exchange for some cash (Bolos River, Cagayan Valley). Photo: Danilo Galang (1994)

The stereotype description of the Negrito is as follows: small in size, sporting kinky hair, wearing a g-string, lives in band inside the forest and subsists mainly by hunting. Negrito populations in the Philippines have been called Agta in Northern Luzon, Ayta in Zambales and Central Luzon, Ata in Kabikolan, Ati in the Vizayas, Mamanwa in Mindanao and Batak in Palawan. It is a common belief that the word Ayta was derived from the Malay *hitam* (black) or its cognate in the Philippine language *itim* or *itom*. The etymology of their self-ascription however means *tao* (person).

The Negrito population has been on the decline since the 1900's when the first estimate of their number was placed at around 35,000 individuals from Cape Engano in the north to as far as Surigao and Davao Gulf in Mindanao in the south (Beyer 1918, 1921; Blumentritt 1916, 1980; Garvan 1963; Keesing 1962). Today, anthropologists agree that there are 25 ethnolinguistic groups that constitute the Negrito with an aggregate population of 15,000 people (Headland and Early 1998; Headland 1989, 1993; Griffin 1985).

This article will describe two of these groups – the Agta in northeastern Luzon, and the Batak in the island of Palawan.

The Agta in northeastern Luzon

The Sierra Madre is the longest mountain range in the Philippines, forming a mountain barrier between the easternmost side of Luzon and the rest of the island. It stretches from the Palaui Island at the northeastern tip of the island to as far south as Mauban in Quezon, southeast of Manila. With the passage of Republic Act 7586 or the National Integrated Protected Area Act of 1992, a large part of the range has been declared a protected area.

Almost stripped by the logging companies of most of its old growth forests, the Sierra Madre is the ancestral home to a number of indigenous communities, particularly many small Negrito communities. There are 9,000 Negritos speaking ten different languages in the northeastern Sierra Madre where they are better known as the Agta. They live on both sides of its watersheds and along the stretch of its coastal areas. Lowland settlers on the other hand call them Dumagat (from the word 'dagat' for sea) because they often build their lean-to (*sinariked* or *pinanahang*) on the riverbanks and the seacoast during the summer months of March to May.

The pre-WW II accounts of Worcester (1912; 1913), Vanoberverg (1937; 1938), Turnbull (1929; 1930) and Garvan (1964) described in details the traditional life ways of the Agta. A 1930 report on the other hand with photographs in the *National Geographic Magazine* (Goddard: 311-343) will complete the picture. In the early times, the nomadic Agta hunted and gathered food in the forested mountains of the Sierra Madre. In the recent past, they have adapted their subsistence strategies to the many changes caused by external forces. The destruction of the Sierra Madre mountain range brought about by extensive commercial logging has caused environmental problems and near extinction of the fauna and other forest resources that are their principal food sources. These have spatially dislocated the Agta and resulted in the dwindling of game harvest. Navin Rai (1983; 1985; 1990) who studied the Agta in San Mariano, Isabela reported that the group occupied a rain forest area of approximately 'up to five square kilometers per capita'. However, the regularly exploited area of a particular group was around two square kilometers per person. Today, many have thus, settled permanently and have begun to practice swidden cultivation, sedentary agriculture, serving as farm workers and trading forest products.

In the early 1990's, Agta settlements in the western section of the mountain range belonging to the Dikamey--Ilagin Agta linguistic group retreated further upstream of both the Pinacanauan de Ilaguen and the Diwagao Rivers. In the 1980's the population of this group totaled 38 families or 149 individuals, 69 males and 80 females. The total number of camps was eight. The average distance of an Agta camp to another camp is normally 3.6 km, while to an agricultural *barrio* (village) it is 8.8 km. At present, estimates give not more than 30 individuals as the only remaining Agta population of the P. Ilaguen and Diwagao. Their retreat towards the upstream of the two rivers can have been brought about by the influx of non-Agta population particularly the loggers within their area. The destruction of the forest means scarcity of resources and always affects the foragers / hunter / gatherers, hence the transfer of camps.

The planned construction of the Ilaguen Small Hydropower Project by the National Power Corporation (NPC) in the area undoubtedly will further constrict the Negrito in their subsistence activities. The dam is 89

meters in height and will have a reservoir area of 580 hectares (NPC 1993). The site is around 10 kilometres upstream from the Kalinga village of Tappa and located between the municipalities of San Mariano and Dinapigue, and is expected to generate 88 megawatts of power. The Agta range is within the project site, particularly the catchment area. This area is also their hunting ground. It is possible that they are not the only ones that will be affected but that other members of the Dikamey-Ilagin Agta and other Agta of the nearby provinces of Quirino and Aurora will be too.

Added to these developments are the unending migrations of the land-starved peasant settlers that have driven the Agta away and estranged them from their ancestral hunting range and territories. The still on-going armed conflict in the countryside has not spared the Agta as they have been recruited as guides or guerrillas by the rebels as well as by members of the government's paramilitary units.

The Batak of Palawan

The Batak are the Negrito population of north central Palawan. James Eder (1987) describes their territory as approximately 1,200 square kilometres extending from the mouth of Babuyan River that flows from the slope of Mount Cleopatra's Needle to north of the Quinaratan River. The smallest in number among the Palawan indigenous communities, the Batak population in 1980 was 254 and Batak of mixed origin totaled 132. The Summer Institute of Linguistics (SIL) listed 300 Batak speakers in 1984. Traditionally hunters and gatherers, they have recently adopted swidden or slash-and-burn cultivation. Swidden is an agricultural system in which the fields are cleared, usually by burning, and cultivated for a short period normally between 1-3 years. After utilization, a fallow period is observed in which the fields are abandoned for a longer time to let the forest regenerate. However, recent reduction of years allotted for fallow reveal shortages of available forests for slash-and-burn cultivation due to state bias against this agricultural practice, dwindling forest cover and migrant settlers encroachment.

The Batak people still spend some considerable time in hunting. Wild pigs are the most important game for they are the focus of any ritual activity. They are hunted with dogs using spears, bows and arrows and blowgun. In communal hunts, a group of women creating a loud noise by shouting and beating the bush drives the pig towards the men waiting in ambush. Batak men and women fish singly or in pairs. The techniques include basketry traps, spears, hook and line, bows and arrows, damming the streams and using poison. Batak men also gather wild yams in the forest. During periods of food scarcity, groups of women and children assists the men in digging the yams up and help carry them to the settlement. Collecting honey on the other hand is men's activity.

Contemporary development issues

Negrito groups inhabit a wide range of environments have never been entirely isolated. Trade between hunters and gatherers, swiddeners and the lowland population has been a feature of their social interaction since prehistoric times. Forest products such as honey, beeswax, rattan, bamboo, and resin (*copal de manila*) provide ready cash to the indigenous peoples. Proceeds from these transactions have presented them a new avenue for acquiring commodities such as textile, metal implements, beads and additional food supply.

In the past, the nomadic nature of hunters and gatherers was the target of government programmes for forced resettlement and sedentary agriculture. This erroneous notion stems from the failure to realize that mobility is interrelated with the availability of resources and its sustainable utilization. The state planners have viewed nomadic lifestyle as primitive and deplorable behaviour. For them, permanent agriculture is the yardstick of development and a measure of the intensity of the indigenous peoples' integration into and their acculturation to the dominant culture.

Wage labour, tenancy or servitude to migrant settlers has been increasing in recent years. By taking advantage of the unfamiliarity of the indigenous peoples with this kind of arrangement, many have been deprived of the fruits of their labour and ironically become instead deeply indebted to their employer.

Permanent agriculture has been introduced to the Negrito people in two ways: first, by adopting the agricultural practice of the migrant settlers either through imitation or as a result of their experiences while working as labourers in their fields. Second, through the state resettlement programme that has introduced the plough and draft animals and forced them to learn the techniques of lowland agriculture.

The forest continues to be the most important ecological zone for the Negrito and other indigenous peoples. Their resource utilization is the product of a deep understanding of and relationship with their environment. Most of them believe that this is the abode of deities and spirits that govern the existence of the community. Swidden fields are carved in the mature or secondary forest. The clearings are also used for secondary dwelling sites and gardens. The interior provides plants and tubers in time of food scarcity as well as for medical purposes, and serves as hunting grounds, and as sources of honey and other forest products for trade. The river and streams are sources of fish, crusta-

ceans and shells while its banks supply some edible plants.

Forest destruction has grave repercussions among the indigenous peoples. The consequences include the extermination of game, the loss of edible plants and eventually the destruction of their habitats. Indigenous peoples may require longer travel distance for foraging from their settlement and transporting commercial forest products to market. The Philippine forest cover has shrunk from 70 per cent in the 1900's to just over 20 per cent a hundred years later. Without the forests that sustain the way of life of the hunters and gatherers, will there be a future for the Philippine Negrito people?

Agta sinariked (lean-to) in a camp site along the Malibu River(Cagayan Valley). Photo: Danilo Galang (1994)

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In 1994, 1996 and 1998, AnthroWatch organized a cultural mapping and survey of the Agta in the area. The three expeditions generated a large number of photographs capturing their environment, subsistence strategies, and relationships with other people. ❑

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HARVESTING FROM 'COUNTRY': CONTEMPORARY INDIGENOUS SUBSISTENCE IN AUSTRALIA'S NATIVE TITLE ERA

Indigenous Lands in Australia

Bush tucker, foods harvested from Australia's native vegetation, plants and land and sea animals, is prominent in pamphlets, books and films aimed at luring overseas tourists to the continent. Foods strange to western tastes, such as witchetty grubs and lizards, are, along with more familiar fish such as barramundi, illustrated along with their harvesters, indigenous Australians who, for the most part, are portrayed as still living highly traditional lifestyles in remote parts of the country. And a taste of Australia – kangaroo kebabs or witchetty grub soup – is now also offered to adventurous tourists, generally in expensive urban restaurants in cities such as Melbourne or Sydney.

By Elspeth Young

Successful young desert hunters, with lizard. Photo: The author

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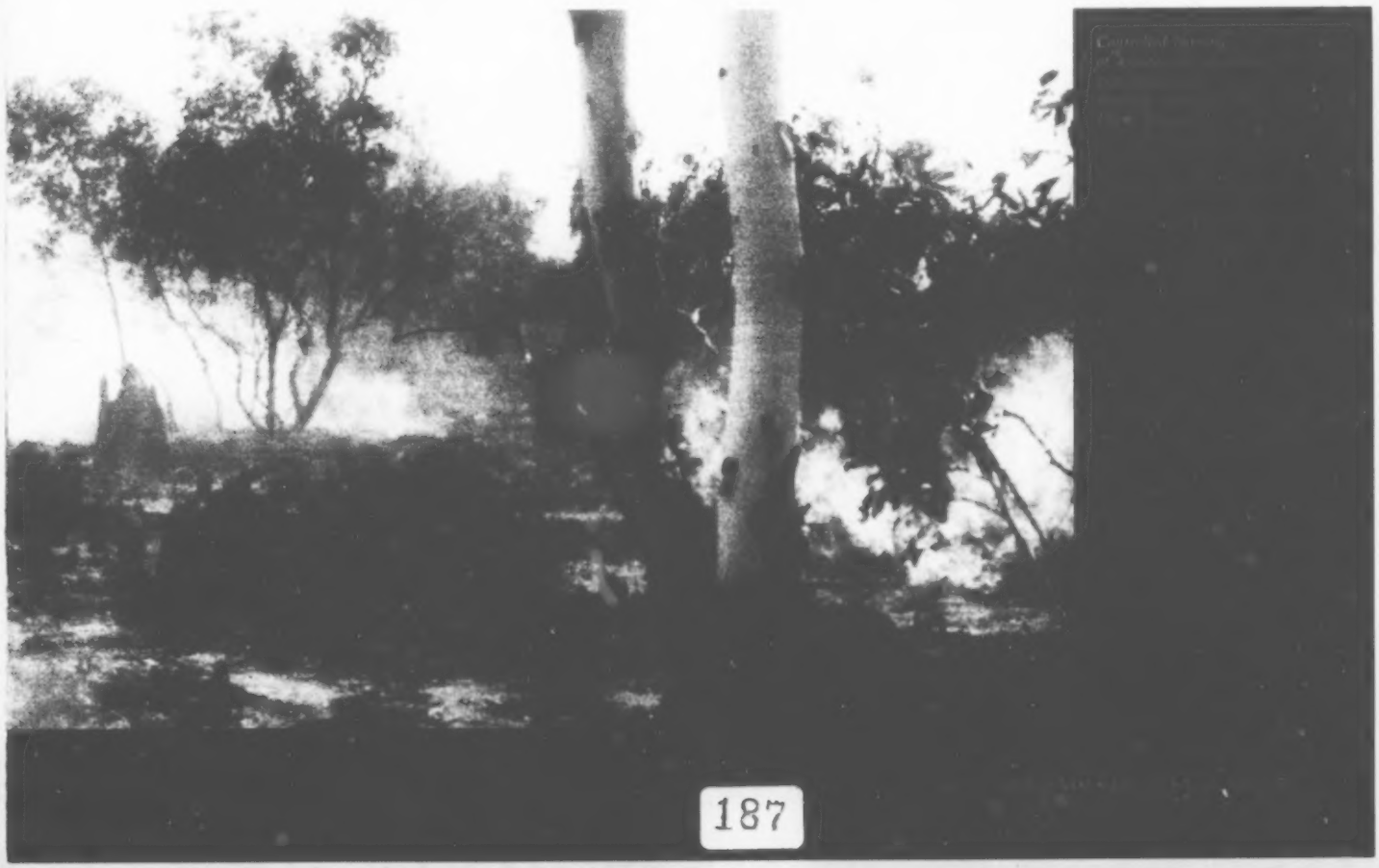
This new bush tucker industry remains largely the sphere of non-indigenous entrepreneurs. But its growth is more widely significant. It is evidence of greatly increased understanding of the value of such Australian foods, an understanding that has, over the last three decades, been but one aspect of the growing visibility of indigenous Australians in political and other spheres. The resilience of indigenous ecological knowledge in all parts of the country provides remarkable proof of the strength of indigenous culture and its ability to survive despite two centuries of pressure aimed to eradicate spiritual and behavioural characteristics seen to be irrelevant in modern society. That strength is crystallised in the universal indigenous belief that they are at one with their ancestral territory, their 'country'; and that they are responsible for the healthy maintenance of that country – its waters and soils, its plants and animals, its sacred places – for both themselves and future generations. Because of indigenous land rights, and subsequent movement of families back to the bush over the last three decades, exercising that responsibility has become much more possible. Simultaneously the unique contribution of indigenous ecological knowledge to Australia's overall biodiversity conservation and long-term sustainability is becoming more highly valued. The future scenario for the survival of such knowledge, and for its practical application, thus appears relatively bright. But there are also many difficult questions to be answered. Negotiating agreements between indigenous and non-indigenous Australians on sharing rights to such resources, and managing them in ways that are mutually acceptable, is arguably one of the prime challenges facing Australian society in the 21st century.

Australia's 'black' history': indigenous dispossession and cultural destruction

Over the last two centuries non-indigenous settlers have spread from Australia's coastal zones to the remotest parts of its interior. In the process they have misunderstood, denigrated and trampled on indigenous people's rights to use and manage the country's natural resources. The long held perception that the Australian continent was *'terra nullius'* – no-one's land – until claimed by representatives of agriculturally and industrially based European societies, provides graphic evidence of such attitudes. It demonstrates almost total ignorance of how indigenous hunters and foragers perceived their occupational and use rights, and of how the flexibility of their adaptive approaches to resource use, developed over a settlement period of at least 50,000 years, had contributed to the survival of Australia's unique natural habitats.

Non-indigenous exploration and settlement was essentially colonial. It resulted in widespread dispossession and the enforced relocation of indigenous people into



government and mission administered reservations and settlements, often far from their traditional lands. In removing people from their country dispossession broke the direct linkage between families and the natural resources on which they depended; and it also undermined their entire way of life. Their belief systems, their economic base, upheld through reciprocity and exchange systems rather than through individual wealth creation, their languages and fundamental elements of their culture all stemmed from those relationships to country, relationships that expressed total integration of people and territory. For each indigenous group, that integration provided their very foundation for living, their Law, or Dreaming.

> *'Everything come up out of ground – language, people, emu, kangaroo, grass. That's Law'* (quoted in D.B. Rose, 1996:8)

Dispossession and enforced resettlement were also major factors in widespread indigenous population decline over at least the first century and a half of Australia's colonial era. While massacres and the intrusion of foreign infectious diseases provide direct evidence of this period of decimation, the social and cultural destruction that inevitably accompanied dispossession was also crucial, and the social fragmentation that still haunts so many contemporary indigenous communities provides proof of its persistence. It also forced many indigenous people into towns and cities, where, according to the 1996 census, 73 per cent of them now live. These indigenous city dwellers remain determined to retain their links to country; but it does make it harder to carry out their responsibilities. Under such circumstances it is all the more surprising that so much of the knowledge remains.

Living off country: the old way

The indivisible linkages between people and their resources created ties that bound particular groups to particular areas, ties that were, and still are, expressed spiritually and culturally and also, as shown by their specific ecological knowledge, through their subsistence activities. Complex rituals that affirmed responsibility for people's country and sites within it – rituals involving song, dance, painting and oral traditions – explained the Law for each group, enshrined through specific ancestral beings that were often part of that land. Prominent geological features, permanent waterholes, and foods plentiful in particular ecological settings all appear as ancestral beings. Northwest of Alice Springs, for example, where honey ant dreaming governs the Law for many extended family groups, the ants themselves still provide a highly prized item of bush tucker on the edges of the desert; and in Cape York and the Torres Strait islands dugong and turtle have similar significance for coastal dwelling groups. For most groups, consuming your own ancestral being is strictly taboo. But people remain adamant that eating 'bush tucker' makes you strong and is essential even when other foods are available.

People's practical use of their country, and of its resources, differed according to the opportunities offered in different ecological regions. For example, in the arid and semi-arid interior, where periodic droughts disrupted water supplies for people, animals and birds, and also the flowering and fruiting of valuable plants, harvesting food was often unpredictable. Uncertainties of food supply then caused families to range well beyond their normal country, into the country of better-endowed neighbours with whom they knew they could share resources. This practice was widely accepted and did not lead to conflict. But in the monsoonal 'Top End' of northern Australia, where seasonal variations in rainfall were more predictable and food was generally more plentiful, families were normally able to sustain themselves from within a more clearly bounded country.

All of these elements of traditional natural resource use have, in various degrees, survived to the present. Their strength provides the foundation for contemporary indigenous resource management in Australia.

Rights to country, and contemporary indigenous resource use and management

As indigenous Australians have frequently stressed, they hold, as the First Peoples, prior customary rights to every part of the continent. However, in Australia's common law, this fact was not accepted until 1992 when the lie of *terra nullius* was formally discounted by the High Court's decision in favour of Eddie Mabo's claim for Native Title to country in the Torres Strait islands. During the three decades preceding this landmark decision, overt recognition of indigenous subsistence resource use had already expanded and practical support for its continuation, as a vital component of land rights, was firmly established. Significant events from this period include the passing of the 1967 Referendum, which gave Australia's commonwealth government overall responsibility for policy and programs for indigenous people; the formal institutionalisation of land rights through the passing of the commonwealth government's Aboriginal Land Rights Act (Northern Territory), 1976, and later state legislations; the formation of government departments and programs specifically designed for indigenous support (e.g. Department of Aboriginal Affairs); and, in the 1990s, the passing of Native Title legislation following the Mabo decision (see Young, 1995; Bachelard, 1997).

Through these various processes today's indigenous peoples' ownership to around 14 per cent of the continent is now formally recognized (see map). In these areas they

make the primary decisions about the use of natural resources and, if these resources still exist, enthusiastically harvest bush tucker. In some areas, because of the widespread introduction of cattle grazing, agriculture and other forms of non-indigenous resource use, bush tucker resources have been heavily depleted and biodiversity loss and land degradation are obvious. People recognise this very clearly and often bemoan the destruction that has been wrought to the country their families once knew. Another important issue, as the map graphically shows, is that the geographical distribution of indigenous land is highly skewed towards the more remote arid and tropical regions. This reflects not only the effects of decades of dispossession and widespread alienation of better watered and more fertile areas, but also differences in land rights legislation between different states and territories.

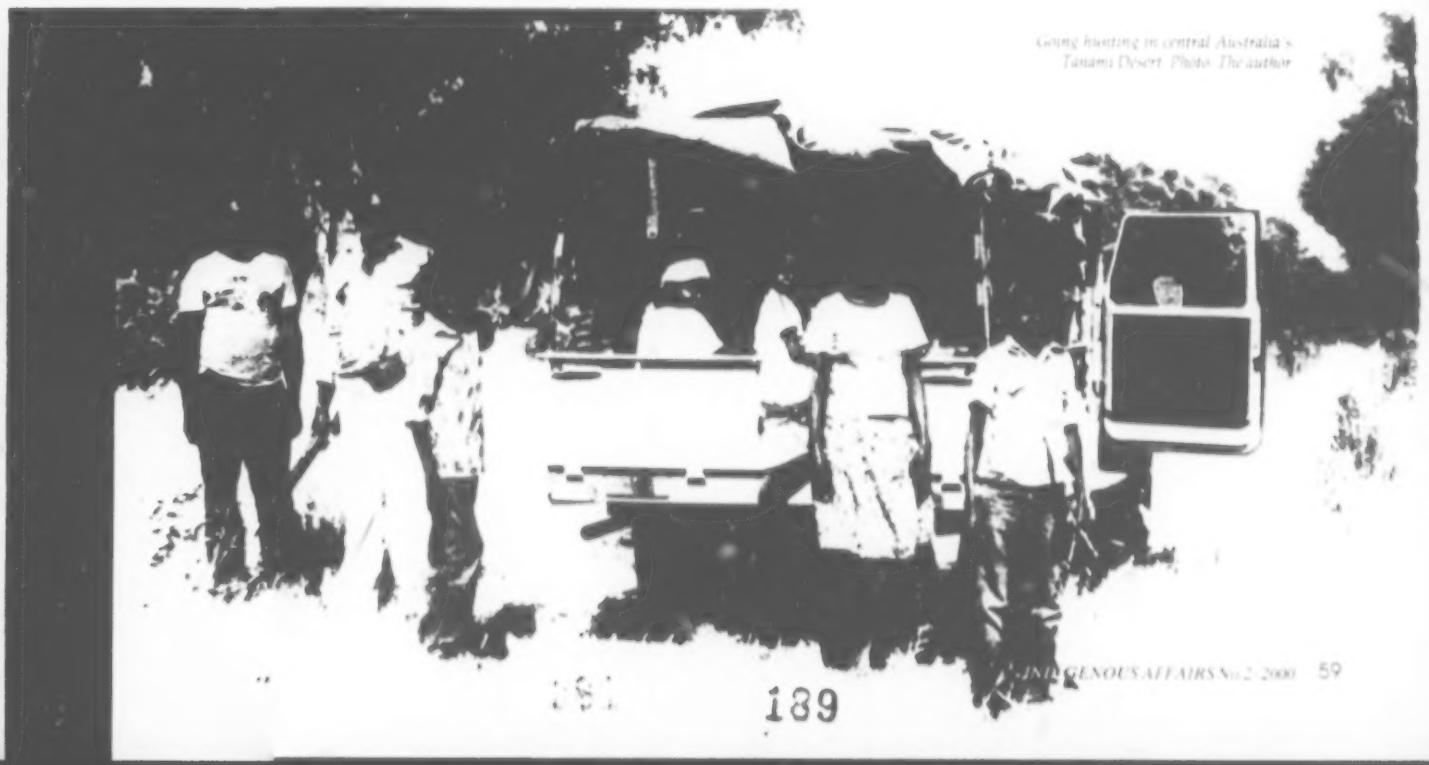
In addition to lands formally granted under various land rights legislations, the Native Title legislation theoretically sets indigenous rights in a much more positive context, by enabling indigenous people to lodge claim for recognition of their prior rights over much wider areas of land, some of which has already been alienated as Protected Areas or pastoral leases. This introduces a new factor into the equation – the possibility that both indigenous and non-indigenous rights to the same area of country (including sea country) will be legally recognised. Such overlapping rights have long existed – many indigenous groups have been able to continue hunting and gathering on lands used for other purposes, such as cattle grazing, with, at least in some cases, relatively amicable arrangements between them and the non-indigenous pastoralists being established. But Native Title enshrines these overlaps in law, with important implications in terms of possible conflicts in resource use (Young, 1999).

Land rights and harvesting the country

Land and sea rights, and variations between them, have clear implications in terms of contemporary hunting and gathering. These differ between areas where outright ownership is formally recognised; and areas where only recognition of usage rights may be possible. In broad terms areas shown on page 56 belong to the first category; examples of the second category can be drawn from many other parts of the country.

Hunting and gathering on indigenous owned country

While no contemporary indigenous groups live entirely from the natural resources of their land, subsistence hunting and gathering bush tucker makes a very substantial contribution to people's diets both in arid / semi-arid areas and in more humid regions. In Arnhem Land in the Northern Territory's Top End, for example, a detailed study in the 1980s (Altman, 1987) showed that people obtained more than 80 per cent of their protein from the bush; and a complementary study conducted in the coastal region (Meehan, 1982) showed that between 55 and 75 per cent of protein was derived from shellfish, with seasonal variations. Although desert regions are generally less well endowed with natural foodstuffs, bush foods could still provide around 75 per cent of total protein (Devitt 1988).



Going hunting in central Australia's Tanami Desert. Photo: The author

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Such figures are more than enough to justify harvesting bush tucker on economic terms alone. When the economic value is enhanced by the huge contribution that these activities make to social and cultural well-being and also, as I and others have discussed elsewhere (Davies and Young, 1995), to the longer term sustainability of the land through the opportunities provided for transfer of knowledge, the worth of such subsistence is very substantial. True, harvesting technology has been radically transformed – nylon fishing lines, rifles, iron crowbars, metal billy-cans, outboard motors and motor vehicles are all essential tools for the contemporary hunter and gatherer. But the inherent reasons for the activity have changed far less. Almost every hunting and gathering trip includes an element of education – older people showing country to younger people, telling stories, singing songs and passing on both ecological and cultural knowledge; and skilled hunters and foragers teaching others how to use their tools – how to wield a digging stick efficiently when you are digging up goannas or witchetty grubs, how to track animals, read the signs put out by budding and fruiting plants and where to fish (*see photos*). Gender divisions in harvesting bush tucker are also maintained – men usually hunt for larger game (e.g. kangaroos, emu, turtle) while women gather fruits, vegetables and smaller game, particularly lizards and snakes. And food consumption patterns also relate to the gender division - success is usually much more likely when women are collecting bush tucker because they rarely waste time on hunting for larger game that may be difficult to track; men can have totally unproductive expeditions while women obtain a wealth of different types of food. And since food distribution is closely related to the food providers, you may well eat better in the women's camp (Young, 1995).

Hunting and gathering in country where indigenous and non-indigenous rights overlap

While harvesting bush tucker makes very positive contributions to all aspects of indigenous people's well-being, the opportunities for carrying out this activity where resource rights overlap with those of non-indigenous land-holders are much smaller. Here hunting and gathering may be prohibited, or it may rarely be attempted because of open aggression on the part of the non-indigenous landholders. It is not uncommon for people to 'hide' when they hear station-owners vehicles coming; or to abandon key places, including spiritual sites, because these are also favoured by non-indigenous people.

People do, however, continue to harvest bush tucker if they feel comfortable about doing so; and the range of benefits that they gain from this are very similar to those mentioned by their more fortunate 'cousins' who have been able to resettle more permanently on their country. Thus, around Australia's seashores, coastal groups with very limited recognition of resource rights continue to glean bountiful harvests of shellfish and catch larger fish. Inland people may be able to hunt game or forage on pastoral leases or other alienated land. And it is not only those who still live fairly close to their country who participate; others who, for some generations, have been living in towns and cities also travel out to join family in collecting bush tucker. Taking city dwelling indigenous children 'out bush' is seen as one of the best ways to help them understand their cultural heritage, and strengthen their sense of identity. Because Native Title legislation has given people legal recognition of their fundamental right of prior occupation, it has bolstered their confidence and made them more assertive when confronted by opposition and unpleasantness from other landholders.

Challenges for contemporary indigenous hunter/gatherers in Australia

Exercising rights to use natural resources for subsistence purposes is by no means easy. It poses many challenges, including the battle for recognition of indigenous natural resource knowledge, and for the application of that knowledge as an equal partner to scientific knowledge in managing resources; continued contention over exercising indigenous rights that co-exist with the rights of other stakeholders, and the dealing with the implications of this in terms of insistent non-indigenous demands for unambiguous definition of legally recognised boundaries; the problem of harvesting bush tucker sustainably when the available resources are drastically affected by intrusion of feral animals, plant invasions and other forms of land degradation; and trying to gain appropriate institutional support for the promotion of indigenous bush tucker harvesting. As yet, people have rarely been satisfied with the solutions to these battles. However some interesting initiatives have been shown, both on indigenous and non-indigenous sides. These raise hopes that much of the priceless detailed ecological knowledge of the indigenous Australians will be available for generations to come. Some of these initiatives are explored below.

Recognising indigenous ecological knowledge, and using it in resource management

Contemporary awareness of the unique fund of ecological knowledge held by indigenous peoples in Australia reflects not only greater media attention, but also the stress placed on such knowledge as a major factor fostering global biodiversity conservation and enhancing sustainability of future resource use. Gains have included an ever-expanding indigenous voice on these issues, articulated both through organisations such as land councils (e.g. B. Rose, 1995), and also through other publications

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(e.g. Langton, 1998). Formal government-sponsored incorporation of indigenous knowledge into resource management has been fragmented, although Australia's best-known jointly managed national parks – Kakadu and Uluru Kata Tjuta in the Northern Territory – are widely publicised as successful models of collaboration between indigenous land-owners and scientists. Although some would question the total success of these models some interesting scientific and indigenous collaboration in resource management has taken place. Collaborative fire management and wildlife management, including planning for future reintroduction of native species, have both been incorporated into the plans of the jointly managed national parks, and mutual respect for different approaches to such problems has increased. Other more recent initiatives in the direct use of indigenous ecological knowledge in resource management have come not from government but from indigenous organisations determined to use such knowledge as a land use planning tool in combination with the more technical types of information that are conventionally applied. The Central Land Council (Alice Springs) and Northern Land Council (Darwin), for example, have pioneered such approaches, with the enthusiastic participation from traditional owners interested in sharing their knowledge and ideas with scientists. The resultant processes and plans, very different from those stemming from conventional land use planning, meet the needs of indigenous landholders much more closely (Mahney et al., 1996). Wildlife management for endangered species, such as bilbies (rabbit eared bandicoot) in the central desert, and dugong and turtle around the northern coasts, provides another example of the integration of scientific and indigenous ecological knowledge (Davies et al., 1999). Efforts such as these all have implications for the continuing support of bush tucker knowledge.

Conflicting perceptions of resource use

Related to the recognition of indigenous resource knowledge are conflicts in indigenous and non-indigenous perceptions of how resources should be used. Fundamental problems often erupt between conservationists and indigenous groups, with the former favouring total bans on resource use, and the latter favouring continued sustainable use for subsistence purposes. Such conflicts underlie the attempts at co-management of dugong and turtle (both of which are highly prized tucker); and fire management, with indigenous people favouring regular controlled burning to allow natural habitat regeneration and keep the country from 'going to rubbish', and non-indigenous landowners, especially pastoralists, viewing all fire as 'bad'. Not surprisingly such conflicts are particularly liable to erupt when the two sets of resource rights overlap. In 1997, for example, Murandoo Yanner, then Chair of the Carpentaria Land Council in central north Queensland, was charged with violating the Queensland *Fauna Conservation Act 1974* when he used a traditional form of harpoon to kill two juvenile estuarine crocodiles for food, on land over which he claims Native Title. Not surprisingly this case drew wide media attention. Australia's federal High Court upheld Murandoo's appeal

Warlpiri women with a harvest of solanum. These desert fruits are a very good source of Vitamin C. Photo: The author

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over this decision, on the grounds that, in taking the crocodiles, he was exercising or enjoying his native title rights and interests that were preserved by the Native Title Act. Murandoo's case not only illustrates the kind of confrontations with which indigenous Australians can be faced when exercising their traditional resource use rights; it is also an important test of the Native Title Act, demonstrating that the rights enshrined in the Act must be recognised in law.

Indigenous held lands may not be immune from such conflicts. Environment Australia, the commonwealth department responsible for environmental issues, has recently encouraged the establishment of a new model of protected areas, the Indigenous Protected Area (IPA). The IPA program, designed partly to enable Australia to meet its international obligations for biodiversity conservation in all natural habitats including those unique to remote indigenous-owned lands depends on indigenous groups agreeing to conservation on their own country. This has many attractions, not the least of which is the provision of more assured funding for indigenous land management activities that incorporate indigenous values. But it would not be surprising if some internal conflicts occurred, with those totally in favour of conservation finding themselves opposed by those who wished to continue harvesting bush tucker.

Resource rights, boundaries and co-existence

The issue of overlapping property rights, which has come to a head with Native Title, particularly in relation to the preservation of such title on pastoral leases, has important implications for subsistence harvesting. Legal recognition of overlapping rights has forced people to seek negotiated agreements on how their different interests can be accommodated and the complexities of this process has generated widespread non-indigenous anxiety over the security of their leasehold tenure and the economic security that comes from their enterprises. In some cases pastoralists who, in the past, informally accepted that indigenous people from whose country their leases had been excised would want to gather bush tucker, are now more wary. They are insisting on the need for 'mappable' or 'hard' boundaries – evidence of their ownership that can be marked in visible straight lines on the landscape. This contrasts with indigenous delineation of 'country' – 'soft' boundaries, invisible to those that lack the knowledge, and denoting not so much ownership as a shared kinship with the land. Hunting and gathering activities accord with these softer boundaries, and, as suggested earlier, can take advantage of their flexibility, enabling people to gather food on their neighbour's country in time of need. Such a scenario lends itself to conflict – indigenous people see no problem in harvesting on pastoral leases, or even in national parks, because they are not harming the cattle or, if they behave responsibly, threatening conservation. Others see things differently.

Coexistence is essential for solving this problem. But, with a few exceptions, most of the adjustments needed to establish such coexistence, have come from the indigenous people who, throughout the 25 years of land claim history in the Northern Territory have proved very cooperative in reaching decisions on how to deal with the shared rights issue.

Shared rights to wildlife that move across hard boundaries, a problem that arises in Arctic regions of North America and parts of southern Africa, are less significant for Australia. Being an island continent this is inevitable. However such issues can arise in relation to marine mammals, particularly where they are affected by different national legislative systems. Dugong, for example, are increasingly managed in Australia under partnerships including indigenous owners and non-indigenous scientists and conservationists, who together recognise that the species is highly threatened, but also accept that it is a much prized food. Sustainable harvesting, combined with more effective monitoring and protection, are the main principles of such partnerships (Davies et al., 1999). But across the sea to Papua New Guinea to the north there is no such program, and checks on dugong harvesting are probably minimal.

Dealing with degradation

Contemporary indigenous hunters and foragers have also had to come to terms with degradation caused by non-indigenous mis-use of the environment. Comments about the scarcity of native animals, or the pollution of natural springs by cattle, are a feature of most hunting expeditions. And there is an overall sense that the land has been allowed to degenerate – it has lost variety in both plant and animal life, and is less healthy because of this. But, as B. Rose (1995) has documented for central Australia, people do not consistently express this loss as degradation in non-indigenous terms, using scientific and technical language that relates largely to ecological processes. For them, their failure to carry out their cultural responsibilities for country, reflecting their dispossession, is equally important.

The impact of feral animals, such an obvious sign of degradation throughout Australia, raises other complexities. Non-indigenous land managers generally view feral animals as bad. But several feral species, such as rabbits and buffalo, have, in fact, become very useful to hunter-gatherers. Programs to eradicate rabbits have not been universally welcomed because these animals have already replaced wild species that were formally important elements of sustenance. Rabbits are now 'bush tucker'. Wild cattle, horses, donkeys, camels and goats also, to some extent are now seen as part of indigenous country and people even occasionally speculate on the possibilities of 'bullocky' or donkey dreaming. Reasons for these

different perceptions are sometimes rather unexpected. In the remote Kimberley region of Western Australia, for example, donkey-killing programs were contentious because people were loath to destroy an animal with such a sacred role in the Christian religion. And, moreover, people did not really see the donkeys as harmful – they 'belong to the country, like us'. Another difficult question arises in implementing programs to reintroduce threatened native species to their former homelands. Indigenous people on the margins of the desert west of Alice Springs understand the importance of protecting the rabbit-eared bandicoot (bilby), a species commonly replaced by rabbits, so that it can regenerate. But they are also delighted in the scientific program because it improves their future chances of hunting bilby for food.

Institutional support for hunting and gathering

Although the overall value of hunting and gathering is now much more widely recognised, Australian institutions, particularly government departments, have still to express this in practical terms. Suggestions for the development of subsistence support schemes, perhaps modelled on Canada's Income Security Program that supports hunting as a 'way of life', have come to nothing (Young, 1995). Instead the pendulum has swung towards the development of partnerships such as the government initiated joint-management arrangements established for an increasing number of national parks, and the Indigenous Protected Area program. However while indigenous people have benefited from such partnerships they also retain some cynicism about the true motives of such programs, and are concerned about the reality of the degree of empowerment they achieve through them. Interesting alternatives that have more local origins include some of the land management activities now practised through regional land councils and smaller local organisations. Examples include, in Cape York, the Kowanyama community's program to control non-indigenous commercial fishing on their country through establishment of shared catchment management to ensure the continuing viability of subsistence riverine and coastal fisheries; and in Yirrkala in Arnhem land, the establishment of Dhimurru Land Management, an agency designed to control non-indigenous recreational use of beaches and coastal waters and at the same time work intensively on sustaining resources valued by the indigenous landowners. Turtle have been a major focus of this project, and scientific and indigenous collaboration in turtle management is one of its major achievements.

All such developments are positive. However they still require financial support. Persuading governments, at commonwealth and state levels, to provide funding – not just enough funding, but funding that is appropriately delivered and gives the indigenous resource managers significant responsibility for determining how money will be spent – is still a prime challenge.

Bush tucker harvesting: the future

Predictions for the survival of the profound knowledge that supports contemporary indigenous bush tucker harvesting in Australia are relatively optimistic. Land rights, coupled with growing indigenous political activism within a global framework focused on sustainability issues, have vastly increased people's awareness of the uniqueness of these resources. But the potential contribution of bush tucker harvesting, not only to Australia's indigenous peoples but also to many others, will be undermined unless problems concerning overlapping resource rights are solved. Coexistence - sharing the land - rather than exclusion – shutting people out of country - has to be the goal.

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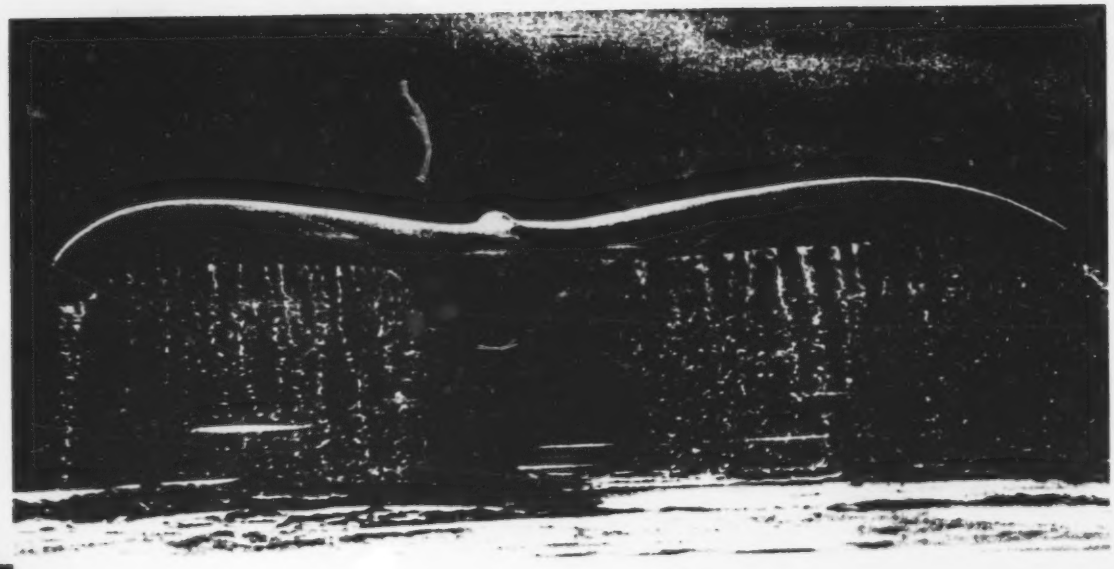

INDIGENOUS WHALERS AND TRADITIONAL RESOURCE MANAGEMENT KNOWLEDGE

by Tom Mexsis Happynook
Chairman
World Council of Whalers

My traditional name is Mauk-sis-a-noop, which means gray whale hunter. This name has been passed down from generation to generation for thousands of years. My family comes from Cha-cha-tsi-us which is part of the Huu-ay-aht First Nation which is part of the Nuu-chah-nulth Tribal Group. We are located on the west coast of Vancouver Island, British Columbia, Canada.

My family has been a hereditary whaling family within our tribe for thousands of years, so it is important to note that 1000, 3000, 5000 years from now there will still be a Happynook whaling family, it will never end.

The Nuu-chah-nulth

The Nuu-chah-nulth Tribal Group, (which includes the Makah nation who are located on the north-western tip of Washington State, USA), have fully occupied, fully utilized and carefully sustained our lands, waters and natural resources for thousands of years. Our traditional governments are structured on behalf of our lands, waters and natural resources and all of our hereditary chiefs are raised from birth to be stewards of, and carry the responsibility to ensure that everything that has been bestowed upon us will be here for our people seven generations from now. To achieve this objective we consider ourselves to be relatives of all that is found within the environment. Unfortunately, we have not been able to meet this fundamental obligation for a very long time due to the oppression of our people, hereditary chiefs, traditional governments and cultural practices. Over the years many Canadian laws have been created and implemented to dismantle our traditional hereditary governments and assimilate our people.

The Nuu-chah-nulth did not have a written language, instead the histories and responsibilities of our hereditary chiefs and their families are depicted through images painted on large canvas curtains. The images that you will find on the curtains of the hereditary whaling chiefs clearly show that whales were extremely important to the cultural, spiritual, social and economic fabric of our societies. These majestic mammals were looked upon as one of the greatest gifts from the creator and are treated as such. When a whale drifted ashore or beached itself it was viewed as a sign that the creator was looking favourably upon us and it was incumbent upon us to utilize it as best we could.

For the Nuu-chah-nulth hunters the taking of any life was looked upon as the most sacred responsibility bestowed upon us. Because of this responsibility my grandfather taught me the Nuu-chah-nulth hunters had to pay dearly for that honour. This especially applied to the whalers because they hunted the greatest and largest mammal on earth.

The suffering of the whalers took many forms, hunger, pain, fatigue, months of preparation, endurance tests, spiritual tests, physical tests, bathing in ice cold water, fasting and praying just to name a few.

Why is whaling important to the Nuu-chah-nulth?

Of the many natural resources that we are blessed with in our part of the world the whale is the most important. It was the foundation of our communities' economic structure; it provided us with very valuable products to sell, trade and barter. It was our National Bank. Whaling also strengthened and preserved our cultural practices, unwritten tribal laws, ceremonies, principles and teachings; all of these elements were utilized throughout the preparations, the hunt and the celebrations. Whaling strengthened and preserved our spirituality through the discipline that the whaling chiefs exemplified in their months of bathing, praying and fasting; they taught through example. The whale strengthened our relationships with other nations and communities; people came from all around, (what is now, British Columbia and the USA), which often resulted in intertribal relationships and marriages. The whale strengthened the relationships between families; everyone was involved in the processing of the whale, the celebrations, the feasting, and the carving of the artefacts that can still be seen today in many museums around the world. The whale strengthened the relationships between family members; everyone shared and benefited from the bounty that the whale provided to the community. Finally, it strengthened our people physically; clinical studies conducted over 25 years in the Canadian Arctic have proven that sea mammal oil is essential for good health, normal growth and assists in early childhood brain development.

Unfortunately, the protest industry is trying to convince the public that whale meat is contaminated and will kill us. The fact is, the food indigenous peoples are eating now, will kill us faster than if we went back to our traditional diets. What puzzles me is: if these people are truly environmentalists / conservationists then why are they not spending the millions of dollars that they solicit on stopping the pollution that is negatively affecting our traditional food sources. But the most important point that must be noted is that traditionally we did not suffer from obesity, high cholesterol, diabetes, arthritis, rheumatism, or heart conditions. We attribute this to the fact that we ate sea mammal oil with every meal. Sea mammal oil is known by our elders to be medicine for a long, prosperous and healthy life; in those days our people were healthy and our communities were healthy.

Principles of Traditional Resource Management Knowledge

As a child I was fortunate to be raised and taught by my grandfather, 2 great grandmothers and 2 great aunts. I am still being taught by my grandmother who turned eighty-five on December 7, 1999. She was taught by her grandmother who died in 1958 at the age of 108. I am still receiving the teachings from the mid 1800's.

What did they teach me? I was taught that there is a natural law of nature which we must live by; that we are only one component in the web of life; that we are not dominant over the environment but in fact related; that we take only what we need and utilize all that we take; that everything is inter-connected and when one component in the environment or ecosystem is over exploited and then protected, the balance is lost; that people have a very important role to play in the environment which is to help maintain the balance through our relationship with the ecosystem; that one of the most important tools we have at our disposal to meet this obligation is respectful, responsible and sustainable utilization of the resources [1]; and finally that we

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must manage the relationship between people and the environment. Our teachings tell us that humans cannot be managed nor can the natural resources. It is the relationship between these entities that must be managed.

Cultural Bio-diversity

When we talk about indigenous practices we are in fact talking about responsibilities that have evolved into unwritten indigenous laws over millennia. These responsibilities and laws are directly tied to the environment and are a product of the slow integration of cultures within their environment and the ecosystems. Thus, the environment is not a place of divisions but rather a place of relations, a place where cultural diversity and bio-diversity are not separate but in fact need each other to maintain the balance required for survival of both the people and the natural resources.

The most important aspects of cultural diversity and bio-diversity are those that integrate people (the human relationship), with the ecosystems found within their environment. Some indigenous practices had cultural importance at the time they were being practiced, (arranged marriages, etc), but most indigenous practices, such as whaling, fishing, hunting have a much deeper ecological role. These indigenous practices maintained the balance within the environment. This is not about the morality of the indigenous practice, but rather the indigenous practice of responsibility to bio-diversity. It is from this perspective that we begin to realize that the realm of cultural diversity and bio-diversity are not separate from the environment but rather connected through our relationships with the ecosystem. This is **cultural/bio-diversity**; a practice that has been developed and nurtured over millennia; in our language 'Hishuk Tsawalk', everything is one, everything is connected.

In today's world, laws have been created around 'the human relationship aspect'. Unfortunately, these laws have established a system that leaves us outside or makes us believe that we are dominant over nature. We have even created a set of consequences for any broken human relations within this system; prisons, institutions, etc. On the other hand, indigenous peoples have lived within the 'law of nature'. It is within this boundary that our systems of justice, unwritten indigenous laws, societies and cultural practices developed.

The Protest Industry

Over the past 30 years the environmental movement has evolved from individuals who were truly concerned about the environment to a protest industry which is now a multitude of multi-million dollar corporations collecting millions of dollars by preying on people who are unaware of the dynamics of indigenous cultures or coastal communities or our relationships to our environment and ecosystems: Cultural bio-diversity.

Over the past number of years the protest industry has been very successful in media manipulation, lobbying initiatives and misinformation dissemination. They have used the media to portray sea mammal users as unethical 'barbarians' without conscience through photography, costly newspaper ads, television segments and documentaries. As Mr. Watson of the Sea Shepherd Conservation Society has stated in his book *Earth Force: An Earth Warrior's Guide to Strategy* : 'A headline comment in Monday's paper far outweighs the revelation of inaccuracy reveled in a small box inside the paper on Tuesday or Wednesday' (1993:42).

One of the protest industry's most successful strategies to date has been the crusade towards 'Bio-diversity'. Regrettably, the protest industry has convinced the general public to overvalue certain parts of the environment, (whales, seals), and remove the cultural aspects, (human relationships), from bio-diversity. The result is an unbalanced environment and ecosystem. Until the cultural aspects of indigenous peoples are reinstated we will not find the compromises which will bring closure to these issues.

World Council of Whalers

The World Council of Whalers officially opened its doors as an international non-governmental organization, (NGO), on February 1997. The formation of the World Council of Whalers was in response to the protest industry. We recognized the need for an international organization who could bring the

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whalers from around the world together under one umbrella, provide them with a unified voice on the international, national and regional levels, educate the general public and dispel the myths and rhetoric that the protest industry has been spoon feeding the general public through media manipulation, lobbying initiatives and misinformation dissemination over the past thirty years.

As chairman of the World Council of Whalers I am in the unfortunate position to witness all of the injustice that is being concentrated towards indigenous peoples and coastal communities around the world. Regrettably, there are a number of issues that these hunter-gatherer societies and communities face each and every day, but, the most misunderstood issue is whaling.

Global Whaling

Around the world you will find a large and diverse number of countries, indigenous peoples and coastal communities who depend on the cultural, nutritional and economic benefits that whaling provides. In most cases their traditions have existed for millennia; in all cases, concern for the continued health of the community is directly linked to the whalers' concern for the continued health of the whale stocks. Whalers of today are a far cry from the self-regulated industrial whalers of the past 300 years who slaughtered whale populations to feed a global demand for whale oil, ambergris and bone. These markets no longer exist. Today the whaling issue is about food, (food security), and in many cases may represent the difference between communities' life and death.

There are many whaling communities within countries such as Canada, the United States, Japan, Indonesia, Philippines, Greenland, Norway, Russia and the Caribbean states who continue to benefit from small-scale, sustainable whaling. Some of these countries are members of the International Whaling Commission (IWC); many are not because they know that the IWC will never meet their cultural, economic and nutritional needs. Some have even chosen to affiliate themselves with smaller regional management organizations such as the North Atlantic Marine Mammal Commission (NAMMCO), the Inuit Hunter and Trappers Association, the Japan Small-Type Whaling Association, and the Union of Marine Mammal Hunters in Russia.

In all cases, none of these groups engage in the self-regulated harvesting of whales; indeed, many hold membership in both regional and international organizations, and are therefore subject to even greater controls. There are no 'pirate' whalers nor is there any illegal whaling.

But the most important distinction that must be made, and understood, is the difference between the self-regulated industrial whaling of the past and the sustainable commercial whaling of today.

The International Whaling Commission

In 1946 the International Convention for the Regulation of Whaling (ICRW) was created.

Out of this convention was born the International Whaling Commission. Unfortunately, due to intense lobbying by the protest industry over many years the IWC has not even come close to fulfilling its mandate which is 'to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry' and 'to provide for the conservation, development and optimum utilization of the whale resources, taking into consideration the interests of the consumers of whale products and the whaling industry'. Even in view of this mandate it is important to put the IWC into perspective. The IWC only has jurisdiction over 5% of all whaling. There are over eighty species of cetaceans; the IWC is only responsible for the seven large cetaceans. It is also important to note that within the ICRW there is a provision for scientific research.

The Japan Whaling Association has been given the mandate by the IWC to conduct scientific research in the Antarctic. Unfortunately the protest industry would have you believe that the 'Each year the Japanese are slaughtering 440 Minke whales in the Antarctic'. What they don't tell you is that it is out of an IWC conservative stock estimate of 790,000 animals. This equates to less than 0.01% of this Minke whale population.

Japan

The Japanese whalers have been mistreated, victimized, physically abused and unjustifiably painted as the enemy by the protest industry for a very long time now, yet

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their whaling traditions stretch back, unbroken, over many generations.

Currently only 3 species of cetaceans are hunted in Japan: 54 Baird's beaked whales per year, 100 Pilot whales per year, and 20 Risso's dolphins per year. Prior to the IWC moratorium on commercial whaling they also hunted Minke whales.

For more than ten years now the Japan Small-Type Whaling Association has been asking the IWC for a relief quota of 50 Minke whales for their small-type coastal whalers and their communities. To put this request in perspective they are asking for 50 Minke whales out of a local stock of 25,000 animals. The sad part to all this is that this particular stock of Minke whales has been recognized by the IWC scientific committee as a stock which could easily sustain a harvest of over 200 whales per year. The coastal whalers are only asking for 50.

There is a commercial aspect to the Japanese whaling but it should not be associated with the industrial harvesting of the past. The 440 Minke whales, which are harvested in the Antarctic, are sold at local market auctions and the revenue generated helps pay the costs of the scientific research which is conducted on behalf of the IWC scientific committee. The other cetaceans that are harvested are sold within the communities from which they are harvested. Some of it does reach other parts of Japan, but none of it leaves the country and the entire whale is utilized including the organs, cartilage, skin, meat and blubber.

Norway

Norwegian histories indicate that the people of Norway have been whalers for approximately 8000 years. They are one of the oldest whaling cultures in the world. At the onset of the IWC moratorium on commercial whaling Norway filed an objection under the rules of the ICRW. This put Norwegian whaling under the control of the Norwegian government.

The commercial whaling that takes place in Norway is a far cry from the 'pirate whaling' that the protest industry has pinned on them. The Norwegian harvest is very small. The quota for the 1999 whaling season was 753 Minke whales but due to bad weather they did not meet the quota. In view of this the Norwegian government has decreased the quota from 753 to 655 for the 2000 season.

These animals are harvested out of a combined North Atlantic stock of approximately 184,000 animals. This equates to less than 0.5% of the Minke whale population in Norwegian waters.

Over the past number of years Norway has accumulated approximately 600 tons of blubber which sits in cold storage. The Norwegians do not have a taste for blubber, but because they believe, very strongly, that the blubber should not be wasted they have no way of disposing of it. The answer of course is very simple and logical; the Icelandic people love to eat blubber but because of the Convention for the International Trade in Endangered Species (CITES), the Norwegian government cannot export the blubber to Iceland, so it continues to sit in cold storage.

Faroe Islands

Pilot whales have been an integral part of Faroese culture since 820 AD and they have kept meticulous records of their pilot whale drives since 1584. As a whole these records provide the most comprehensive, long term documenting of a wildlife population ever.

The Farose pilot whale drive is a communal affair. When the pilot whales arrive the schools are closed and employees are allowed to leave work to participate in the pilot whale drive which is to gather food for the winter. The annual take is approximately 1000 pilot whales out of a stock of 778,000 which equates to less then 0.2% of the population.

All the Faroese are entitled to a share of the bounty. Even the Faroese who do not eat pilot whale are still entitled to their share which they can take to the local supermarket to sell. Again, there is a small commercial aspect but it certainly isn't at all what the protest industry would have the public believe.

Over the lifetime of their pilot whale drives the Faroese people had developed the most effective way of harvesting their food. In recent years the Faroese were convinced by scientists to adopt an alternative method in response to concerns raised by the protest industry. It was quickly determined, however, that the traditional method was the most humane method, and it was immediately re-instated.

Due to the geographical location, climate, isolation and the astronomical cost of importing food, the pilot whale drives are essential; whaling is indispensable.

Greenland

Greenland Inuit have been whalers for at least four thousand years. Throughout the 18th and 19th century, (like many indigenous whaling peoples), the Greenland Inuit watched the industrial whalers decimate their traditional food source. Community based whaling was re-established in the mid 20th century when small fishing vessels took small numbers of Minke, Fin, Sei and humpback whales for local consumption. In more recent times, an even smaller scale of whaling has emerged called 'collective whaling'. Collective whaling was designed to allow those living in isolated communities to sustain themselves and their communities, culturally, economically and nutritionally. In the subsistence economy of the Greenland Inuit the meat and *mattak* provide money, which is essential to the survival of the families who live in the coastal communities.

Here again the geographical location, climate and astronomical cost of importing food make whaling essential.

Russia

Currently Russia's whaling community consists of the Chukotka Inuit who are located in the Chukchi region of northeastern Siberia. The recent collapse of their established supply lines have left these peoples isolated and in dire straits. In a region where harsh winters dominate, starvation is a very real and ongoing threat. The only means they have available for the survival of their children and families is to look to the whaling traditions of their ancestors.

At a recent meeting of the World Council of Whalers, a representative of the Union of Marine Mammal Hunters was given the mandate by her people to seek assistance for the survival of their children, families and culture. What is significant, and must be noted, is that the request was not for monetary aid but instead a plea for the means to reinstate their traditional way of life by providing their sea mammal hunters with the equipment to hunt for food. They believe that this is the only way that they will survive as a people.

I am very happy to report that during the middle of November the Chukotka Inuit got a Bowhead whale. This is significant because they now have a nutritional food to feed their children and families when no other sources of food are available due the severe climate and inability to import food.

Philippines

There are over twenty species of cetaceans found within Philippines waters. Traditional harpoon whaling occurs in a small number of communities in the south central and southwestern part of the Philippines. These hunts involve a number of village families and all the meat is sold in the village market or between families.

In light of the recent dramatic increases in certain cetacean species, the Philippine government is currently reviewing its ban on whaling.

Indonesia

Indonesian whalers hunt the most abundant cetacean species in the world, the sperm whale. The sperm whale population is currently estimated to be around 2 million. The hunt is conducted in the traditional method, whereby the whalers go out in small hand-made wooden boats and use hand held harpoons. In 1998 only 26 sperm whales were harvested. This equates to less than 0.01% of the sperm whale population. For many Indonesian peoples who live in these coastal communities the hunting of sperm whales is the difference between life and death.

Caribbean

Limited whaling is an essential part of life in communities found within Grenada, Saint Lucia, the Commonwealth of Dominica, and Saint Vincent and the Grenadines. The short-finned pilot whale is the most widely consumed cetacean and is sold in the local markets. This harvest is small and equates to an average of 300 to 450 animals per year.

In Bequia, one of the Grenadines islands, humpback whaling is an essential part of island life and has been

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going on for many generations. In recent years the number of whalers was reduced to one elderly man. This gave the protest industry a great deal of comfort because they believed that when this Bequian elder passed away humpback whaling would end for good. To the protest industry's surprise the old gentleman has been passing on his knowledge to the younger generations who are now going out on the hunts. The passing on of the knowledge will assure the local people of a reliable and abundant supply of healthy food.

In countries, such as the Caribbean states, where people have depended on the sea for centuries, these limited harvests are no threat to the whale populations, but is essential for the continued sustenance and health of individuals, families and the communities that they live in.

Tonga

In July 1999 a fisherman came upon a mortally wounded humpback whale. He immediately notified the Tongan fishery department who deemed it legal to tow the dead whale back to the capital city where word of the humpback whale spread like wildfire. In a very short time the Tongan people filled the shoreline and were waiting for a chance to once again taste a traditional food staple; humpback whale meat, blubber and oil. The last time they had tasted humpback whale was twenty-two years ago, it was clearly evident that they had not lost their taste for it.

Over the last several years the Tongan government has been gathering information to support the resumption of humpback whaling in Tongan waters; this event was very timely.

Iceland

The Icelanders are able to boast the oldest democratic government in the world: it has been in place for over eleven hundred years. In 1999 the Iceland cabinet passed a resolution to resume whaling as soon as possible. Iceland is another country where geographical location, climate and the cost of importing food dictates that they live off their traditional food sources found within their waters.

United States of America

Although the United States played a huge role in the decimation of the whale stocks during the days of industrial whaling it now takes a very strong stance against whaling at the international level. The USA has never stopped being a whaling nation. It has always defended its obligations to the Alaskan Eskimos and only recently has finally met its 1855 treaty obligations to the Makah nation.

Alaskan Eskimo whaling is conducted from nine traditional whaling communities. A current quota of 51 Bowhead whales is hunted from two islands in the Bering Sea and a few coastal villages along the northern Alaskan coast. They also hunt Beluga whales, gray whales and sometimes Minke whales if the opportunity arises.

In the indigenous spirit of cooperation, generosity and sharing, the Alaskan Eskimo Whaling Commission (AEWC), (a co-management/support organization for the Eskimo whalers), agreed to share their IWC Bowhead quota with the Chukotka Inuit, who in turn agreed to share their IWC gray whale quota with the Makah. Such ties between distant whaling communities may seem contemporary, but in reality clearly express the ongoing ancient trade networks and technological exchanges which have existed amongst indigenous peoples for millennia.

Canada

The whaling peoples of Canada include the Western Arctic Inuvialuit, the Eastern Arctic Inuit and the Nuuchah-nulth nations. All of these Canadian whaling peoples and their communities have the right to hunt whales. This right is protected under the Constitution of Canada, the highest law found within the Canadian legal system.

Canada ranks 3rd in the world in whaling right behind the Faroe Islands and Greenland respectively. This has created some controversy in international circles, particularly because of the limited Canadian Inuit bowhead

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whale hunts conducted in the Arctic; however, science has clearly concluded that this limited hunt will not negatively impact the bowhead population.

Over the years the member states of the IWC have passed resolution after resolution against Canada, and the United States has even gone so far as to threaten economic sanctions if the Canadian Inuit bowhead hunt continues, but such threats need to be placed in context. As stated above, the Alaskan Eskimos also hunt bowhead.

Canada's refusal to reinstate its membership in the IWC clearly shows its increasing awareness of the central importance of indigenous rights, and the effectiveness of local management regimes based on science and traditional resource management knowledge.

Incorporation of Traditional Resource Management Knowledge

Recently, the Inuit have taken over control of their beluga hunt without a quota. This is a very significant development because over the past number of years there has been tremendous lip service given to indigenous peoples, the importance of their traditional resource management knowledge and their relationship to their environments.

If you look hard enough you will find wonderful words enshrined in many international conventions and declarations, but as usual that is all they are, 'words'. So, for indigenous peoples and coastal communities there are several fundamental questions that need to be addressed and supported: Is there genuine support within national and international fora for indigenous peoples and coastal communities? Do the representatives that attend these national and international fora really speak for, and represent sustainable users? Are indigenous peoples and coastal communities involved in an appropriate manner? Is indigenous traditional resource management knowledge being used in decision-making? If it is, who is using it? Is it being used properly?

As chairman of the World Council of Whalers I raise these issues because the WCW represents individuals, organizations and communities from 25 countries and these questions are inherent to all of them. In view of this, the World Council of Whalers strongly supports and promotes the concept that: *Traditional resource management knowledge must be incorporated with science and well founded modern resource management techniques and administered through regional regimes which include indigenous peoples and coastal communities in the decision making process.*

In closing: It is extremely important that everyone is respectful, understanding and supportive of the hunter-gatherer peoples from around the world; we have a lot to offer.

Note

[1] The gray whale population on the west coast of North America is a perfect example of that responsibility. The Canadian Department of Fisheries and Oceans has confirmed, and other US and Mexican scientists have acknowledged, that in 1999 the gray whale stock reached the carrying capacity of their food supply which resulted in approximately 100 gray whales being found dead from starvation.

Reference

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Tom Mexsis Happynook *is the Chief Executive Officer for the Natural Resource Board of the Huu-ay-aht First Nation, and he is involved in all aspects of the health, welfare, and cultural preservation of his people, one of the Nuu-chah-nulth First Nations. As the chairman of the World Council of Whalers he is at the forefront of the effort by the world's whaling people to secure their traditional rights that are so important to the perpetuation of their individual cultures. He lives on Vancouver Island, British Columbia (Canada) and is married to Katherine Ann. They have two sons and a daughter. They share their home with Tom's 85 year old grandmother.* ❑

AN OVERVIEW OF THE HUNTER-GATHERERS OF THE GRAN CHACO

The Gran Chaco is an extensive area of plains extending across the borders of three Latin American countries: Argentina, Bolivia and Paraguay. Its name, of Queshwa origin, means 'hunting place' or 'game preserve', denoting an area in which this activity is habitually carried out. The northern limits can be traced from the south of Mato Grosso in Brazil, then to the east it reaches as far as the Paraná and Paraguay river systems, to the west the sub-Andean mountains and to the south the pampas plains. It is a sedimentary plain with a number of long low hillocks. Through the hollows that are formed flow watercourses and, consequently, the areas close by are prone to flooding, forming lakes and marshlands. The region's climate is hot and tropical with high summer temperatures (up to a maximum of 50°C) and heavy rains from November to April. The main rivers are the Pilcomayo, the Bermejo and the Salado del Norte. The first two originate in the Bolivian mountains. The Pilcomayo is 1,100 kms in length with a basin of approximately 130,000 km² and the Bermejo is 1,060 kms long with a basin of 94,000 km². The Salado del Norte marks the southern boundary of the Chaco and its course runs 1,150 kms.

By Morita Carrasco

Photo: Alejandro Parellada

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It is a region rich in forests and native wildlife, although a marked process of ecological degradation and growing desertification is being noted due to the impact of non-indigenous human populations which, in successive waves, have made use of the environment in an uncontrolled manner and without any rational management. In a study undertaken in 1991, it was established that the indigenous peoples living in the region had at their disposal 28 classes of mammals (including peccari, corzuela (*Mazama americana*), deer, tapir, armadillo, jaguar, puma, wolves, anteaters and rodents); 10 classes of reptiles; 17 classes of birds (American ostrich, herons, *charata* (*Ortalis canicollis*) doves, parrots, birds of prey) 21 classes of fish (shad, dorado, surubi, pacu, sandsmelt, piranha, *patí*); 20 varieties of forest honey (*lechiguana, moro*); and more than 70 species of forest vegetation, to which must be added 12 cultivated plants. With regard to wood, the Chaco is characterised by its abundance of hardwood trees, such as the white quebracho, two varieties of coloured quebracho, guayacan, *lignum vitae*, carob and several varieties of palm trees, along with other softwood trees of great importance to indigenous life such as the *palo borracho, chañar* and jujube. All these trees can be found in the form of isolated patches of forest between which extend vast areas of pasture. Along the banks of the Pilcomayo River are reed banks where enclosures of native crops were cultivated.

The rich and varied fauna and flora of this immense forest is today in danger of extinction, despite the fact that the indigenous population continue to rely on it for their basic resources. As you penetrate inwards towards the west, the landscape becomes dryer and the soils poorer.

The collective social image that circulates, even today, in the three countries bordering the region is that of an immense and mysterious zone inhabited by savage untamed peoples, closer to animals than human beings. This image is the result of an historic construction the roots of which can be found in the 'encounter' between indigenous and Spaniards that took place in the 16th century, when it was the ambition of these latter to find the road to El Dorado, a mythical mountain where gold was said to be found in abundance. Since then the Chaco's image has been one of hostility and savagery. Throughout the colonial era, and up until the beginning of the last century, the area was the scene of many attempted conquests, aimed at converting its native inhabitants into Christians and rural labourers. These efforts were undertaken initially by religious missions and later by military campaigns that were fought until they overcame indigenous resistance.

Three broad groups could be distinguished amongst these native peoples. Firstly, those belonging to the Mataco-Mataguayo family, made up of the *Mataco* (*Wichí*), *Mataguayo, Iyowaja* or *Chorote* and *Nivacklé* or *Chulupí*. Secondly, those belonging to the Guaikurú linguistic family, made up of the *Toba, Pilagá, Mocoví* and *Abipón*. Finally, that of the *Lule Vilela*, who some authors consider to have disappeared. However, according to oral testimonies, *Lule Vilela* families still live in the Argentinian province of Santiago del Estero.

All were hunters, fishers, and gatherers of forest plants and honey, undertaking a form of exploitation that we would term 'diversified and complementary use' of the natural resources. In particular, they made use of the fruit of the carob tree. In the rainy season, they cultivated maize, beans, watermelon, melon, pumpkins and so on.

The conquest of the Chaco

In 1884, the military campaign to conquer the Chaco began in Argentina, with the aim of occupying the lands and converting the indigenous into a rural work force. Once the campaign came to an end, a system of *native reserves* was established in order to meet indigenous subsistence needs during the period when their presence in logging works or on farms was not required. Through the reserves and the religious missions, the plan for sedentarisation and conversion was complete, the indigenous being organised into nuclear settlements in the form of communities. From this moment on, the autonomy of the indigenous socio-economic system was destroyed, becoming increasingly linked to the processes of capital expansion and contraction, although their security with regard to subsistence and social reproduction remains to this day linked to the environment. Economic expansion in the region has developed on three fronts: logging, cattle rearing and industry (cotton and sugar, depending on the area).

Although it had its roots in the early days of the Republic, forest exploitation reached its height in the early years of the last century.

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The tanneries captured the interest of British, French, German and national capital but it was the British company the Forestal Land, Timber and Railways Company Limited which, from 1906 on, exercised absolute hegemony in the exploitation of the quebracho tree. During the timber boom, nuclei of populations directly or indirectly depending on the activity grew up around the most important logging works. These groups demanded a high consumption of meat, and it was this that determined the introduction of cattle rearing into the area.

Cattle activity in the Chaco has been a factor of enormous influence in defining the indigenous territories and the use of natural resources. The current ranchers, called *Criollos* or *Chaqueños* by the indigenous, have occupied the territory in a disorganised and disproportionate way. In general, they are people who began as managers of farms neighbouring onto indigenous settlements and who somehow managed to form their own herds and establish themselves freely on any area of scrub land, but generally close to indigenous communities. The type of cattle rearing they use, without enclosures or pasture, means that the cattle roam freely in the open, destroying all vegetation. This does not recover and causes immense arid plains and the consequent salinisation of the soil.

For decades, the indigenous people moved for the sugarcane and cotton harvests. But the boom was brief. In the 1960s, when machines began to replace labour, the hopes of many immigrants and temporary labourers began to dwindle, leading to more misery and the expulsion of the workforce towards neighbouring zones.

The traditional use of resources

A synthesis of the regional economic processes up to this point cannot avoid the particularity of the regional indigenous economy. Although it became linked to capitalism early on, indigenous security in terms of social reproduction has always been associated with the land and the rivers. Combining and alternating the use of natural resources and the market has led, not without contradictions, to conflict and penury, for their strategies for exploitation are diminished each year due to the destruction of the Chaco environment. The dry months of winter - April / May to August – provide fish in abundance in the rivers, lakes, marshes and watercourses. August, September and October are generally considered the most difficult months: the fish have run out but the rains have not yet arrived, preventing the appearance of forest flowers and fruits. The rainy season of summer - November to April - enables areas to be prepared for cultivation. During these months, curcubitáceas, maize, tubers, water melon and melon are planted and harvested for domestic consumption. At the same time, forest fruits are collected; carob beans, *chañar*, jujube, *sacha sandia* and wild beans, and different varieties of forest honey are harvested. Throughout the whole year small animals such as rabbits are hunted, along with birds such as the ostrich, *charata*, and parrot etc.

This traditional use of resources, although vastly changed by the ecological devastation of the region, continues to this day, alongside the sale of seasonal labour to the neighbouring farms or settlements and the most common of temporary activities *changueo* [1] in the urban areas closest to them.

As a result of the processes of conversion and sedentarisation, these groups have today become mixed, even those groups who were previously in rivalry or conflict with each other. This is not to say that there had never been matrimonial alliances between them, or temporary alliances to fight against the *conquistadors*. And for its part, military activity between different bands or groups of relations was not unheard of. This could include revenge and recompense occurring over a period of time, in different ways thus establishing a history of political links that have survived to this day.

Ethnographically, these were quite small groups that joined together into larger groups with the appearance of fish and carob fruits. At this time, they formed groups of up to a thousand people between whom they formalised matrimonial and political alliances. There were no group leaders beyond the residential groups, and these were known by a word that today translates as chief or *cacique*. Their power resided mainly on the basis of personal

attributes, particularly skills in re-establishing the balance between intra- and inter-group relationships and their technical knowledge of the environment that enabled them to know in advance and precisely where and when to find the necessary food resources. These leaders remain more or less unchanged to this day. Even now, their power lies in 'the right word' or 'good advice', which is needed all the time. Whenever there was a problem, the chiefs of the two groups would meet to try to come to an agreement.

A brief overview of the current situation

The Chaco region is home to the greatest diversity of hunter-gatherer societies in Argentina, societies which have both individual and generic characteristics. Amongst the latter can be mentioned: a wide social flexibility that permits the fusion and fission of its social units; non-authoritarian leadership, hereditary or not; the absence of exclusive notions of land ownership; the practice of sharing - especially food - amongst relatives; and wide family and personal autonomy. Within families, financial decisions are taken independently and there exists an enormous amount of individual freedom - parents do not impose restrictions on their children and never punish them – in contrast with the search for consensus as a method of collective decision-making within the community. Political alliances are always temporary and last as long as the situation requires, later to be quite simply forgotten.

Following the above mentioned processes of colonisation and their consequent effects in terms of displacement and relocation, many indigenous people now live in fixed settlements, in rural areas or in quarters close to towns. Few are farmers although some exist by practising some kind of traditional economic livelihood, disrupted by the serious environmental degradation that has occurred in the region due to the irrational management of cattle rearing, the relentless felling of native forests and the lack of legal regulation of settlements.

A considerable number of young people move out, generally seeking to migrate to the urban areas. The successive crises in the region's agricultural and livestock economy have left thousands of workers without jobs or homes, forcing them to migrate to the towns.

Indigenous communities have emerged due to the influence of the process of evangelisation. As one elderly person said, *the people were simply collected up by the missionaries*. Families or residential groups of nuclear families from different ethnic backgrounds lived in these communities. The areas they occupy were part of the traditional dominions of nomadic groups but the vast majority of lands are now owned by the State. The communities thus find themselves in a dangerous situation of

legal uncertainty. In the province of Formosa, a process of providing community land titles began in the 1980s but the indigenous population very soon realised that the areas provided were insufficient and they are thus now demanding their enlargement. The fundamental laws of the country and of the Chaco provinces recognise the community ownership of indigenous lands. There also exist indigenist laws that prescribe the way in which lands must be provided, but the real situation of the communities is very different from that prescribed by law. The greatest demands of the indigenous peoples of the Chaco region thus focus on the struggle for titling of their traditional territories.

As one elderly leader expressed it,

'we are claiming our food, the fruits of the land. Now the best carob trees are being fenced off and we are left with wasteland where there are no fruits and it is here that we have to find our food. It is increasingly difficult. More difficult than ever. It is for this reason that we are in a hurry for the government to find a good solution for us. We are asking for a fair solution because many previous governments wanted to give us land, but not what we were asking for. They wanted to give us the tiny plots where we live and no more. And if we accept this, we will all die.'

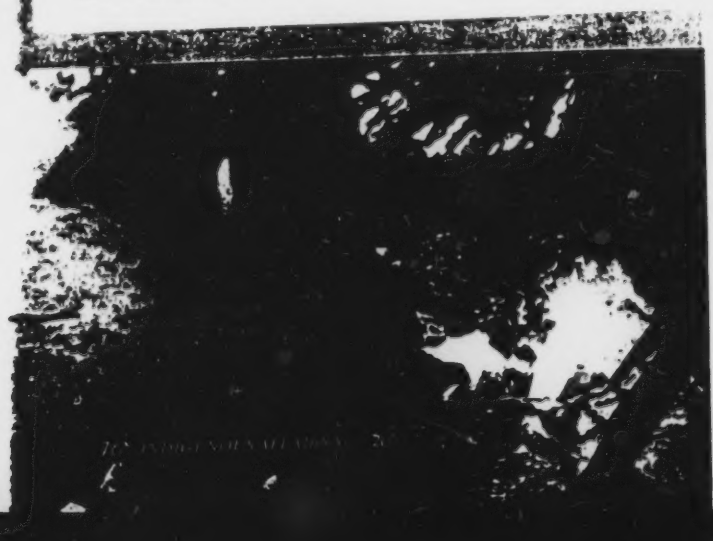
The criteria for demarcation are not uniform, the provincial governments try to create rigid settlements with clearly demarcated boundaries whilst the indigenous organisa-

tions consider areas traditionally occupied or used, including places considered of religious or ritual importance, to be indigenous territories. But due to the long process of conquest and colonisation, these former places have changed, the communities making the most of the spaces that were left vacant after the Creole occupation. And in the vast majority of cases these were lands degraded by the over pasturing of cattle and the indiscriminate felling of native trees, with river waters contaminated from the spillage of toxic substances. For example, 6,000 indigenous people from five different peoples live in the Salta region of the Chaco: the *Iyojwaja, Wichí, Tapiete, Toba* and *Chulupí*. They have formed the Association of Native Communities of Lhaka Honhat, whose objectives are to obtain the property title to their lands, to rehabilitate the environment, to live in peace and to be respected. The government's response to these demands has so far been one of silence.

Nevertheless, the Association continues its programme of environmental rehabilitation with the aim of demonstrating that this devastated area can be recovered if it is freed from the cattle that are still roaming its territory. Its dream is to reconvert this traditional environment into a sustainable place for all indigenous families. Until this occurs, the men and women of the Association continue to search for food over the land and in the rivers, sometimes travelling more than 30 kilometres to find something to take home. This is how one elderly Toba man put it,

> *'Before the sun is up, the men and their dogs have already gone. They spend all day searching, and if they find an animal at four, they'll be home by the time it gets dark with something to eat. Then it needs to be prepared. The kids are happy and there is food, maybe rabbit, and then the man is happy because he's found food for the children. There's usually fish, sometimes not. Some days nightfall arrives and there is nothing. Poor family. They have to go to sleep with their stomachs rumbling and see what tomorrow will bring.'*

Their hopes for rehabilitation are based on the results that have so far been achieved in four zones located within different communities.



Other Chaco hunters are now living on lands that were sold to private individuals by the local government. They are weighed down by the possibility of expulsion and plundering of their native lands. The struggle is centred around gaining land titles by means of expropriation. Their path is that of lobbying the offices of the Provincial Legislature or the National Congress. Recently, in the province of Chaco, a territory of 140,000 hectares was handed over to the communities of the Association of the Toba Meguesoxochí People. This territory was reserved for the 'Toba of the North' by Presidential decree in 1924 and it is only in the year 2000 that its allocation has become concrete. This perhaps illustrates the level of importance given to the situation of the indigenous communities in Argentina or perhaps the State's slowness in implementing laws.

In any case, the hunter-gatherers of the Chaco region are committed to achieving better living conditions for themselves and for their future generations. Although they differ from other neighbouring indigenous peoples in the strategies through which they wish to realise their aims, they have for some time been forming organisations to represent them.

Since the reform of the provincial constitution in Chaco and Salta and the indigenous conquests in Formosa, community members have been taking an increasingly active role of involvement in issues relating to the defence of their rights and participation in affairs that directly or indirectly affect their interests. The leaders are undoubtedly facing an enormous challenge: to satisfy the current demands for improvements in daily living conditions and at the same time to begin the creation of a political programme that will enable them to articulate claims and demands that go beyond government plans and activities, without losing their identity or their autonomy to manage their own political projects.

Note

[1] Any type of work of a few hours per day: cutting grass, sweeping patios, clearing areas. In general they are paid not in money but in kind: old clothes, a kilo of flour, a little sugar, etc.

Morita Carrasco *is an anthropologist. She is a lecturer and researcher at the University of Buenos Aires, and has among other works co-authored the IWGIA document No. 18* La tierra que nos quitaron *(1996 and only in Spanish) on the indigenous peoples of Argentina and their land struggles.* ❑

Dr BWIRE KAARE

1954-2000

My valued friend and colleague Bwire Kaare died on May 1st in Dar es Salaam, Tanzania. He had been ill since Christmas

Bwire was an exceptional man, very greatly admired and respected. He was born and brought up in rural Tanzania, obtained his BA in Sociology at the University of Dar es Salaam in 1985 followed by his MA in 1989. For his MA he conducted research among the Hadza, hunter-gatherers in Northern Tanzania, and wrote to me to ask for copies of my papers, which I sent to him. He in turn sent me his MA thesis, which I was impressed by and encouraged him to come to the London School of Economics to take a PhD.

His PhD research was on another Tanzanian hunter-gatherer group, the Akie Dorobo. After he completed his PhD in 1996, he returned to Tanzania and took up his previous post as Lecturer in Sociology at the Dar es Salaam Institute of Finance Management. At the time of his death he had just been appointed as Lecturer in Anthropology at the University of Dar es Salaam.

Bwire was both gifted as an academic and highly committed to the cause of the low status people whom he studied. His thesis and his publications on the Akie and on the Hadza are distinguished works. It is highly unusual for African scholars to work among very low status African groups, but Bwire was exceptional in this respect. I think that his research among the Akie was the first full-scale field research by any African scholar to be carried out among an East African hunter-gatherer or former hunter-gatherer group. It may even be the first such research anywhere in Africa. He was truly a pioneer in his willingness and, indeed, enthusiasm to carry out such difficult research.

He was always willing to use his knowledge and skills in the interests of those whom he studied. When they were considering new land rights legislation, Bwire addressed Tanzanian parliamentarians about the necessity of recognizing the land rights of nomadic Tanzanians, both hunter-gatherers and pastoralists. He told me that he had great difficulty in persuading them of the merits of the case he was making. Last year he organized a meeting in Dar es Salaam for some Hadza who were themselves lobbying for rights over their land. This land issue was of central importance to Bwire. He was ashamed, he told me, of the way that nomads were treated in Tanzania.

Last year both he and I were invited to talk to IWGIA's board members in Copenhagen about the position of the Hadza. Nobody who was present at that meeting is likely ever to forget Bwire's account of how some Hadza children, mostly girls, had been taken by Tanzania Assemblies of God preachers to work more than a hundred miles from their homes as almost unpaid house servants and child minders. With deep emotion Bwire told us how he regarded this disgraceful episode as a form of slavery.

Bwire was, I believe, a truly good man – brave, honest, forthright, committed to his family, friends and colleagues including the hunter-gatherers among whom he worked. The death of someone so able and so committed is a tragedy. If he had lived he would have accomplished greater things, both academic and in the field of human rights.

James Woodburn

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CENTRAL AFRICAN HUNTER-GATHERERS IN A MULTIDISCIPLINARY PERSPECTIVE

CHALLENGING ELUSIVENESS

KAREN BIESBROUCK / STEFAN ELDERS / GERDA ROSSEL / EDS

ELUSIVE PYGMIES

A book review

by James Woodburn

A Review of *Challenging Elusiveness: Central African Hunter-Gatherers in a Multidisciplinary Perspective* edited by Karen Biesbrouck, Stefan Elders and Gerda Rossel. Research School for Asian, African and Amerindian Studies. University of Leiden, 1999.

Almost everything about the Pygmies of Equatorial Africa is controversial, even their name. Their biology, their archaeology, their history, their past and present linguistic status, their uses of their environment, their relationships with their neighbours, their rights as citizens of the countries in which they live, their entitlement to live as they choose in the present and to work out their own future – all these and much more evoke vigorous differences of opinion among those who have dealings with them, both local people and foreigners. There are many reasons for the strong and passionately propounded differences of opinion about the Pygmies and their ways of life. But one thing is certain. Pygmies and their ways of life are in most contexts treated as low status and are stigmatized in the countries in which they live. Ethnic status differentiation and ethnic stereotyping are interlocked. Each feeds the other. Low status magnifies negative stereotypes. And, as the history of the Romany and other travellers in Europe illustrates, where ethnic stereotyping of a low status minority proliferates, facts become hard to obtain and, even when obtained, become matters of dispute. One obvious response to low status and negative stereotypes is to be elusive – to avoid not just control and authority but also commitment, controversy and confrontation, especially in dealings with people outside one's own community. Facts about the people and their life become elusive like the people themselves.

For this and many other reasons our knowledge of the Pygmies, accumulated in thousands of publications over the past hundred years (see, for example, Liniger-Goumaz 1968 and Plisnier-Ladame 1970), is still modest. Work with them, whether it be development work or research, is never easy. Not enough of the work is yet of sufficient depth. Sadly it is still the case that very few researchers or development workers among the Pygmies appear to have become reasonably fluent in the language spoken at home by the Pygmies among whom they work. This requirement is doubly important where negative stereotypes are so strong that people are much less likely to talk openly and straightforwardly in any language other then their own. But, little by little, the situation is improving. In spite of the obstacles, we are gradually developing a much more solidly based knowledge of the Pygmies and, most importantly of all, an increasingly demythologized knowledge of their present situation. *Challenging Elusiveness* represents an important step in this direction.

What this book does, and does very well, is to bring together data and opinions of an unusually wide range of people from different disciplines who have done systematic work among the Pygmies or on Pygmy issues. The eighteen papers, fourteen in English and four in French, add significantly to our knowledge and challenge much of what we thought we knew. The aim of the colloquium on which the book is based - to bring together people from diverse backgrounds who would not normally meet each

other or read each other's works to discuss a shared interest in the Pygmies - was, I believe, successfully achieved.[1] I was, however, sad to see that the authors or editors have failed to give Pygmies an initial capital letter in English. I feel sure that this must have been entirely unintentional without awareness of the implications. Only low-status groups such as Gypsies and Pygmies are today often denied their capital letter in English just as Jews were in some writings during the anti-Semitic 1930s.

I was excited by Thilo Schadeberg's paper on the term *Batwa* which, he shows, is used in Bantu languages over much of sub-Saharan Africa apart from Cameroon, Gabon and the Congo (Brazzaville) as an ethnic term, not just an occupational term, for peoples including many Pygmies living by hunting and gathering or who have a recognized past as hunter-gatherers. There is no way that a term with this distribution could be a product of European notions and we can infer from this scholarly paper that the category 'hunter-gatherer' is not a product of European nineteenth-century evolutionary categorisation applied to Africa, but is a long-standing African category. In many cases those referred to as *Batwa* have no other external ethnic designation, so mode of subsistence can become more significant in local attribution of ethnic difference than language and culture. However, this is not true of farmers whose ethnic terms invariably distinguish them in terms of perceived linguistic and cultural differences. It is, of course, characteristic of the categorisation of stigmatised peoples by those doing the stigmatising that they are often grouped together with minimal attention to the cultural differences within the category. The term *Gypsy* is an obvious example in Europe.

Roger Blench's paper is novel and genuinely radical. Using an extraordinarily wide range of source material, he argues that, far from being the truly indigenous inhabitants of the equatorial forests who lost their languages and much of their culture after the area was colonised first by Adamawa-Ubangian and then by Bantu speakers perhaps four thousand years ago, the Pygmies are actually the same people as the invaders who came with them and developed into a partially endogamous specialist hunter group. Their smallness is, he suggests, a direct product of living and hunting in the forest and is analogous to the smallness of both forest-dwelling wild animals and forest-raised domestic animals. The argument is that smallness must provide some form of selective advantage in forest conditions for both animals and people. His argument is presented in testable form and certainly will be tested as better data become available, but I would have to say that on present evidence I am not convinced. I would attach much more importance than Roger Blench does to the fact that his view is in dramatic conflict with the opinions of the different peoples of the forest, both the Pygmies and their farmer neighbours, who almost unanimously agree that the Pygmies are quite different people from the farmers and that the Pygmies were there first. This prior occupancy is perceived as important and is marked out in many of the most important rituals of the farmers. Of course this could be mythology, a product of thought about perceived differences between Pygmies and farmers, but the extremely widespread notion of prior occupancy, which applies not only to Pygmies but to hunter-gatherers and recognized former hunter-gatherers outside the forest, strongly suggests to me that the notion of prior occupancy has some basis in fact. Sadly the utility of Roger Blench's paper is damaged by the fact that his bibliographical references do not appear in the composite bibliography. I would urge the publishers to deal with this serious omission by printing his bibliography and including it, if necessary as loose sheets, with every copy of the book sold.

Whatever the truth of Blench's argument turns out to be, neither the Pygmies nor other contemporary African hunter-gatherers and former hunter-gatherers are, of course, to be treated as relatively unchanged and unchanging survivors from the pre-agricultural period or even from the more recent past. In the Pygmy case Kairn Kleiman provides interesting evidence, mainly linguistic, that their societies underwent two distinct periods of historical change which coincided with changes among neighbouring farmers. Around 1000 A.D. many agriculturalist and hunter-gatherer communities linked with them began to diverge and to form new linguistic and ethnic communities, probably to establish new economic specialisations in developing systems of long-distance trade. A second major period of historical change coincided, she tells us, with the height of the Atlantic trade between about 1500 A.D. and 1700 A.D. when increased violence and demand for resources by coastal entrepots diminished the status of primary producers including hunter-gatherers. Linguistic evidence suggests a further and final divergence from agriculturalists at the period perhaps to evade capture and slavery. The author suggests that this divergence may have been accompanied by a lowering of the status of Pygmies to its present level.

Barnard Clist presents important new data on the archaeology of Gabon some of which is in conflict with part of Roger Blench's hypothesis. Clist argues that archaeological data demonstrate that hunter-gatherers were present in forested areas before the arrival of sedentary farmers in the forest, during their arrival and after their arrival. Some were present in the Gabon forest as far back as 40,000 years ago. There is, then, no question of the use of the forest being dependent on farmer / hunter interdependence. What is not yet known is whether these early forest hunter-gatherers were short statured or have any other connection with present-day Pygmies.

The paper by Gerda Rossel illustrates how the presence of particular items of vocabulary, in this case vernacular names for crops and cultivars, in the languages of a region can be used to trace the historical movements and

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changes in affiliation of Pygmy groups. She applies her analysis to the Pygmy groups of North Congo.

Stanley Frankland objects strongly to what he sees as the romanticisation of Pygmy life in the works of Colin Turnbull and other writers. He urges us to recognize that the Pygmies studied by Turnbull were not as isolated as Turnbull implies but were profoundly affected by many outside influences including tourism. He argues that Turnbull's ethnography, so widely used in anthropological teaching and so widely read by anyone interested in the Pygmies, is both selective and distorted. In its misleading claims to authenticity, it effectively denies legitimacy and meaning to the way of life of Pygmies like the Sua in Western Uganda who are particularly heavily involved in the tourist economy.

Emmanuelle Olivier and Susanne Fürniss's paper on Pygmy and Bushman music is another paper which seeks to displace conventional thinking, in this case probably conclusively. In recent years it had become widely accepted that the similarities in the polyphonic music of the Pygmies and the Bushmen indicated a possible historical relationship between these groups. Olivier and Fürniss succeed in showing that the similarities are superficial and that both the musical structures and the organisation of music within its cultural context are quite different in the two areas. Sadly it seems that we may have to give up any idea of a historical connection in the music of Equatorial and Southern African hunter-gatherers.

Wilhelm Dupré provides a helpful summary of Father Paul Schebesta's work on African Pygmies in four expeditions between 1929 and 1955. While the account is useful, I was disappointed that the tone is uniformly adulatory and that there is no discussion of some aspects of Schebesta's personal dealings with African Pygmies and South-East Asian Negritos which today would be regarded as reprehensible.

Mitsuo Ichikawa, in a sophisticated account of Ituri forest ecology illustrated by satellite imagery, shows how human activities can potentially improve the forest environment as a habitat for hunter-gatherers. Many of the Mbuti's most important plant foods grow best in gaps in the forest caused by trees brought down by storms or lightning but also caused by felling trees to obtain honey or to make forest camps. Agricultural peoples in the area clear land for their crops and later abandon their fields which revert to secondary forest rich in wild foods. While recognizing the danger of unsustainable rates of felling, it is important also to recognize the value of some felling for the hunting and gathering way of life. This work is also a pointer to the difficulties that could arise if conservationists seek to zone the forest into areas in which felling is permitted and conservation zones in which it is prohibited.

Justin Kenrick's paper is a welcome analysis of the central ritual of the Mbuti, the *molimo*. We know relatively little about the operation of Pygmy ritual and this paper represents an important increment to our knowledge. Kenrick demonstrates that the *molimo* cannot be satisfactorily explained in terms of Maurice Bloch's theory that the irreducible core of the ritual process in human society is concerned with legitimising domination and shows that it is here instead about expressing and experiencing fundamental shared values of equality, cooperation and sharing similar to those involved in net hunting. It is valuable to have another instance analogous to the central ritual of the !Kung Bushmen, the trance dance, in which the main ritual actors, the trance dancers, far from gaining any increment of power, wealth or status for themselves or others, are obliged to share the yield of their curing abilities with other members of local !Kung community – men, women and children – just as successful hunters are similarly obliged to share out the meat of animals they kill without building power, wealth and status for themselves or others (Lee 1984:109-13, Marshall 1969, Woodburn 1998:56-57). After discussion of the *molimo*, Kenrick develops a broader analysis of Mbuti relations with the environment, of Mbuti economy and Mbuti sociality. His presentation is intricate and ties in with long-standing debates in anthropology about these issues.

Christian Leclerc compares two groups of Medzan Pygmies in Cameroon, the most northern Pygmies in Africa. The two groups are culturally similar but one lives in the forest, the other in the savannah. The savannah community are more efficient farmers and combine to deal with invasive weeds. The forest community do not cooperate effectively to deal with the weeds but tend to neglect their own plantations and instead do plantation work for their farmer neighbours for pay. Leclerc tells us that savannah hunting in the past necessitated more cooperation and poses the question whether the greater cooperation in agriculture is a product of past cooperation in the hunt. But he comes to the conclusion that this explanation is insufficient. An additional factor is relevant. The savannah community is in an area where there are frequent markets and more circulation of people and goods, of ideas and practices. These also influence the nature of agricultural cooperation.

Karen Biesbrouck writes interestingly about the process of sedentarization among the Bagyeli. She discusses the difficulties of definition. The Bagyeli make a crucial distinction between a base camp (with rectangular huts and surrounded by agricultural fields and by fruit trees) and a hunting camp (which consists of simple huts at a site where there is good hunting). People in each base camp have several hunting camps which they can call their own and they can also use hunting camps belonging to their relatives. Between two and six months a year is usually spent in hunting camps. Biesbrouck tells us that Pygmy mobility is usually discussed in terms of the movements between base camp and hunting camp. But there are also frequent moves from one base camp to another and the whole base camp moves to a new site every four to thirty

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years. She notes that those living in a base camp are not a fixed community but are simply a temporary aggregation. The units which move from one base camp to another are individuals and nuclear families. Moves from base camp to hunting camp are to a large extent to do with obtaining subsistence. Few Bagyeli cultivate enough to live on. To get access to agricultural foods they either obtain bushmeat to trade with their villager neighbours or else carry out agricultural work for them. In the 1960s the government put pressure on the Bagyeli to build their base camps along the roads. When the pressure from government eased, most Bagyeli moved their base camps away from the roads. They said that they disliked both competing for land with the villagers and other tensions deriving from constant criticism of them by the villagers. Villagers valued only agricultural labour on one's own plot as real work and treated living in the forest as unsuitable for human beings. The villagers' respect for Bagyeli appeared to be proportionate to the resemblance of their behaviour to villager standards: cultivating, living along the road, sending children to school, learning French, paying taxes and so on. Bagyeli were spoken of and treated as children, even as animal-like, and their behaviour was often contrasted with that of 'people'. It is clear that much movement here is not economic but is induced by conflicts with and disdain from farmer villagers.

Joris van de Sandt presents a perceptive comparative study of Bagyeli relations with their Fang villager neighbours in five villages where land pressure is a problem and Bagyeli struggle with Fang over land and forest resources. Relations between Bagyeli and Fang are often strained and are affected by outside factors – government policies, logging, etc. But the main factors are internal – the weakening of notional kinship ties and commitments between Bagyeli and Fang, the weakening of systems of authority and prestige in both communities, current uncertainty about tenure rules which are subject to constant reinterpretation, lack of effective means of resolution when disputes occur. He shows how the difficulties are worse in some villages where Bagyeli numbers are small, where they hold land in areas into which Fang wish to expand and where Bagyeli are stigmatized because of deficiencies in their agricultural production and because of their lack of self-sufficiency. The Bagyeli are politically weak, often seek to avoid confrontation and may be evasive and docile in dealings with villagers.

Axel Köhler's paper provides an intriguing contrast to Biesbrouck's and to de Sandt's. The Baka whom he studied are almost all settled in roadside villages in N.W. Congo. Their transition to a more sedentary, though still flexible, lifestyle seems to have been less problematic than in the case of the Bagyeli. In the area where Köhler worked the Bantu population is stable and there is no shortage of land. There is neither logging nor regular bushmeat trade to urban centres outside the area. Köhler argues that the potentially negative effects of sedentarization for the Baka have been cushioned by the increasing isolation and marginalization of the area. Roads have deteriorated. Cocoa cash-cropping has ended and opportunities for obtaining cash are very limited. The lowering of living standards since the 1970s and 1980s is perceived by the Bantu as narrowing the gap between them and the Baka. Köhler links the willingness to settle in roadside villages to fundamental Baka beliefs and attitudes which he explores with care stimulated by the writings of Peter Wilson, Tim Ingold and Nurit Bird-David. He suggests that the Baka have 'a distinctly undivided perception of the environment the essence of which is the experience among themselves of an equivalence of all living beings ....' (p.209) Far from dividing themselves off from Bantu villagers, they accept greater integration, provided that there is an equivalence in social relations with the Bantu. Indeed there is a need 'to situate the current sedentarization process within an overall Baka strategy to attain full integration within national society and, in particular, to gain more respect and recognition from their Bantu neighbours.' (p.209) I am greatly intrigued by the apparent differences between the Baka case presented by Köhler and the Bagyeli cases presented by Biesbrouck and de Sandt. In the Baka case roadside settlement is acceptable. For most Bagyeli it is not. Do the Bagyeli have, as one might expect, similar inclusive beliefs and values to those of the Baka? Do the Baka have, as one might expect, the same problems with stigmatization by their Bantu neighbours that the Bagyeli do? If the two societies are similar in these respects, then perhaps we should look partly to additional political and economic factors to account for the difference. Obviously the previously mentioned abundance of land and less marked economic differentiation between Baka and their Bantu neighbours are relevant factors. But are there others? Are the sheer numbers of Baka in relation to their neighbours greater? With the weakening and withdrawal of state institutions in the Congo, was it more difficult for the Bantu to coerce and intimidate the Baka than for the Bantu to coerce and intimidate the Bagyeli in Cameroon? Are tenure rules more protective for the Baka? Are Baka more economically self-sufficient than Bagyeli?

Manuel Thuret's paper on the Aka-Mbenzele who live near the town of Ouesso in the Congo shows how Pygmies who have been settled for more than thirty years remain distinctive. In terms of their housing and their material culture they have to a large extent assimilated to villager practice. They are much involved in the money economy and even buy corned beef, sardines and vache-qui-rit cheese in Ouesso market. They are tied to villager patrons who own guns with which the Pygmies hunt for the patron. Access to guns has been a major incentive for settlement. But they continue to define themselves strongly as people of the forest rather than people of the village. Villagers recognize their superior knowledge of animals and of the forest. They remain committed to activities with

a rapid yield – gathering forest products to eat and to sell, hunting for the patron, labouring – and remain reluctant to devote much time or effort to activities with a delayed yield, especially cultivation of their own food crops.

Maryvonne Bretin-Winkelmolen provides a fascinating account of some new thinking about development options for Pygmy communities. At last we have serious attention given to notions which go beyond the conventional provision of ordinary education, ordinary health facilities and ordinary agricultural training, all implicitly or explicitly tending towards the elimination of occupational and cultural differences between Pygmies and their neighbours. Such conventional provision, based on models drawn from services designed for sedentary populations, may either be rejected by the Pygmies themselves or lead to their long-term dependence on those providing the services. What is needed is for the Pygmies themselves, researchers and developers to together think out and test new paths for enculturated Pygmy self-development. The starting point has to be a recognition of continuing social and cultural differences between Pygmies and their sedentary neighbours.

Most Pygmy societies clearly fall into the category of societies which have what I have termed immediate-return social systems. In these societies most people most of the time deploy their labour to secure immediate yields. The production cycle is short-term. Production is followed by immediate consumption rather than by storage or investment for the future. This orientation to the present is linked with an emphasis on obligatory sharing, on equality and on freedom of movement (Woodburn 1979; 1982). The whole social and cultural orientation to time and to space is, as Bretin-Winkelmolen points out, quite different from that of sedentary farmers. It is striking that these practices and values tend to persist even when much else changes. In spite of ever-increasing pressure on Pygmies to become self-dependent farmers, again and again it is reported that they prefer instead to work for others and to be rewarded with frequent payment even when these payments are meagre and even when in such work they are treated as inferiors. There are obvious advantages in immediate yields. People can, potentially at least, withdraw from oppressive situations without serious material loss and they can retain their sense of freedom to live and work where and with whom they choose. The problem for the Pygmies, as for other peoples with immediate-return social systems, is that these values and practices make it easy for other people to steal their land and to stigmatise them (Woodburn 1995). Bretin-Winkelmolen suggests that Pygmy self-development, supported by development agencies, might be approached through a system of short-term contracts – which she sees as their privileged relational mode in their dealings with 'the exterior' (p. 263). She stresses the central importance of recognizing and valorizing the richness of Pygmy culture and of Pygmy knowledge in the process of enhancing their position in society. I think that this is a particularly thoughtful paper with much value for those concerned about the future for the Pygmies.

Dorothy Jackson provides a splendidly clear and well-focused review of the impact of internationally financed projects – for roads, for logging and for oil – on the land rights and the resource use of forest-dwelling indigenous communities in Equatorial Africa. She discusses important and continuing international initiatives to define and to protect the rights of forest dwelling communities and to constrain breaches of these rights especially when these breaches occur in internationally financed projects. She highlights the fact that governments in Equatorial Africa usually treat forests as state property and deny or override most of the rights of forest communities. Forest hunter-gatherers are particularly vulnerable to dispossession and Dorothy Jackson discusses the newly created indigenous organisations of hunter-gatherers and dispossessed former hunter-gatherers working on their own behalf. She reviews the international laws which now recognize indigenous peoples' rights to self-determination, to representation through their own institutions and to control over their own lands and resources. The struggle ahead is to get these rights applied by international companies and agencies as well, of course, as by African governments and local elites.

In his paper Espen Waehle takes as his starting point Jerome Lewis's and Judy Knight's book *The Twa of Rwanda* (1995) which shows how the very small Twa Pygmy minority in Rwanda who constituted no possible political threat to anyone suffered disproportionately in the 1994 Rwandan genocide. A higher proportion of Twa died than Tutsi or Hutu but, because of their low status, they died almost unnoticed. Although, as far as is known, no other Pygmy groups have been subjected to such genocidal attacks, there are striking and worrying parallels with these other groups which suggest to me that all are potentially vulnerable in times of extreme political turmoil. Waehle shows how all suffer from negative stereotypes, all are vulnerable to theft of their land, all have less access to education, health and other state-provided facilities than most other citizens, all are denied the political opportunity to negotiate their own choices of development options. Waehle provides additional valuable discussion of the political application of the term 'indigenous' and how it may be used in the struggle for rights by stigmatised African groups including the Pygmies. In his introduction to this book, Waehle stresses that it is not inevitable that Pygmies will become even more impoverished and marginalised, but there certainly is a grave danger that this will occur.

The title of this fascinating book is curiously ambiguous. The nature of Pygmy culture, society, history and development is certainly elusive – not easy to define and charac-

terise, not easy to be sure about. Is the title suggesting that the various authors are challenging this elusiveness, are seeking to tie it down or does it instead refer to the Pygmies themselves? Are they challenging us with their elusiveness? I prefer this second interpretation. What seems particularly challenging to many outsiders, both Africans and others, is Pygmy present orientation – their concern with the immediate rather than with the past and the future. Many Pygmies, and many members of other African hunter-gatherer and former hunter-gatherer societies, have the ability to live each day as it comes, to enjoy a short-term world with much freedom of movement and with few long-term commitments. Orientation to the present, which tends to be disconcerting to outsiders, is highly political and greatly valued. It is also sensible and meaningful in their situation and needs to be treated with respect. It is perhaps this orientation, more than anything else, which contributes to the perception of them as elusive.

The papers in the book indicate a paradoxical situation. The evidence of these papers strongly suggests that whatever their present way of life, Pygmies tend to identify strongly with hunting, with the forest and with knowledge of the forest. Yet, at the same time, they appear in most areas to be spending an ever-increasing amount of time in villages and an ever-diminishing amount of time in forest camps. When in the villages, there is evidence of assimilation to villager custom in a number of respects – in house style, in tools and equipment used, in dress, in willingness to carry out some agriculture – but evidence of rejection of assimilation in a number of other respects, most notably in a lack of willingness to carry out agriculture in a planned and systematic way in order to obtain yields comparable to those of villagers and which would provide something close to self-sufficiency in basic agricultural foods in most years. We are told that almost everywhere farming is not a problem for the Pygmies, but planned, systematic and ultimately successful farming is very problematical even where Pygmies are living all year in villages. We do not need to look far for an explanation for the reluctance to adopt a fully agricultural lifestyle. It lies in the continued sense of identity as hunters and with the present-orientation which is strongly associated with life in the forest.

I have thought it worthwhile to give this long review of the papers in this book in order to try to bring out the richness and the stimulating character of these contributions. Nobody seriously interested in the Pygmies or indeed more generally in the current political and economic situation of African hunter-gatherers and former hunter-gatherers could fail to benefit from close study of this material. For those concerned with the future of the Pygmies, there is much to think about here. We have a great deal of evidence in this book that the Pygmies are changing and adapting as they have always changed and adapted. But there is also a sinister negative trend. In many places the escalating scale of theft of their land and the dramatic reduction of their options to develop a changing way of life which they find reasonably satisfactory are evident. Political means, national and international, must somehow be found to prevent further humiliation and impoverishment and to give them continuous opportunities to work out their own futures for themselves.

Notes

[1] I should say that my comments here are not entirely detached or neutral. I was a participant for part of the colloquium held in Leiden at which the papers in this book were presented and discussed but had to leave early because of teaching commitments in London. I presented a paper but could not offer it for publication because it was already in press elsewhere (Woodburn1997).

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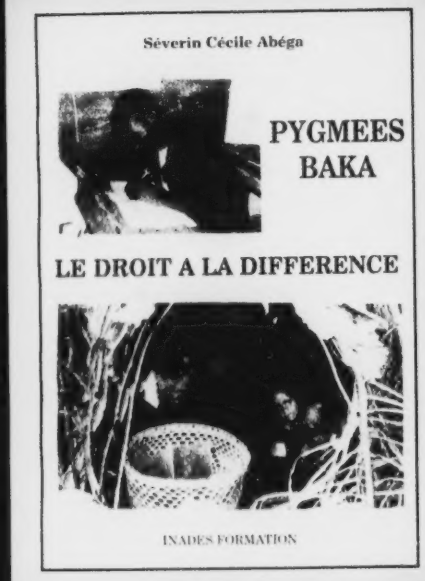

PYGMÉES BAKA LE DROIT À LA DIFFÉRENCE

A book review by Karen Biesbrouck

PYGMÉES BAKA;
LE DROIT À LA DIFFÉRENCE
By Séverin Cécile Abéga
Published in 1998
by Inades-Formation Cameroun
PO Box 11 Yaoundé, Cameroun

The staff of development projects aiming at Baka hunter-gatherers in southern Cameroon often sighs: 'We explained things so well to them, but *they* do not understand.' The motto of this book, on the contrary, is '*We* do not understand them.' Therefore, the main aim of this book is to facilitate the establishment of an effective dialogue with Baka; it adresses an audience of people working in the administration, NGOs, the mission, and donor organizations.

Abéga, the author, is an anthropologist at the Catholic university of Central Africa (UCAC) and his endeavour is to come up with solutions, or codes, for the problem of the communication with Baka. In doing so he leans heavily on the Action-Research and Training department of INADES at Yaoundé, and those readers privileged enough to know Maryvonne Bretin-Winkelmolen, who manages this department, will immediately recognise her influence throughout the book. The objective of this department's Baka project is to allow Baka to express themselves and be understood, to be recognized as a minority, and to find a road towards development while taking their culture into account. It is also this very same organization that distributes the booklet.

About the book

The first three chapters constitute a miniature ethnography of the Baka. Without underestimating his audience, Abéga provides a nice overview of the information readily available on the Baka. He deals with Baka social organisation and religion, and with their economic activities including Baka involvement in exchange and trade. He then comes up with a near complete overview of all the activities aimed at Baka development by the Cameroonian state and numerous non-governmental organisations. These projects' main focus is on sedentarisation and the stimulation of agricultural activities, also in view of reducing Baka dependency on Bantou farmers. The more interesting part of this section is Abéga's description of the ways in which 'development' announces itself on the Baka doorsteps: the road - with various manifestations of accessibility -, western-style health care, and Christianity.

Turning to what he calls 'Baka culture' the author, who already in his introduction honestly admits that there is no easy blueprint for effective communication, chooses to deal with a number of key issues (space, time, mobility, work-ethos) that definitely play a role in interactions between Baka and outsiders. In my view, it is a pity that at this point Abéga does not include some appropriate Baka quotations, or some descriptions of concrete interactions. These would definitively have made his text more lively and familiar for his audience.

He sets off by revealing the importance of forest space. The forest is an area where Baka feel themselves at home

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and safe, a place where God provides them with the products necessary for their survival. Nowadays, however, poachers and logging companies also take their share of the forest, thereby fundamentally changing its character.

Next, Abéga contrasts Baka cyclical perceptions of time with the linear ones that commonly underly the planning by development agencies. He explains that Baka forms of cooperation are usually only temporary, dissolving after the accomplishment of that specific task.

Spatial mobility allows Baka to make use of vast stretches of forestland, and their egalitarian social organisation is designed to suit this. In the process of sedentarisation, Baka life has come to alternate between that in the base camp and that in hunting camps. Development agencies, however, usually act based on assumptions as to the permanency of residence and to the presence of a permanent leader who can represent the group.

Apart from hunting and gathering for their survival, Baka rent out their labour force to do heavy jobs for neighbouring farmers and commercial enterprises. Often, their remuneration is unfair and Baka subsequently, and without further announcement, refuse to show up. This makes these outsiders value Baka work-ethos rather negatively. Even development agencies have to deal with this Baka 'policy of the empty seats'.

In fact, the book can also be seen as a roundabout way of promoting the 'contract approach' such as developed by INADES-Formation. This contract approach, according to Abéga, will provide a suitable format for communication with Baka on developmental issues. In the last chapter, he gives some rough clues as to the attitude with which to approach Baka, and to the phasing of decision-making. He also states that Bantou farmers have to be taken into account too, if only to prevent them from sabotaging the cooperation between the development agency and the Baka. But that's where it ends: descriptions of experiences in working with this contract approach are dearly lacking, and so are the lessons learnt.

What makes this book special?

In general, I appreciated Abéga's attitude towards Baka. His formulations and choice of topics shows his engagement, without him ever getting pedantic.

Yet I particularly liked the book for its more philosophically oriented questions and remarks. Let me explain this by giving an example. Towards the end of the book, Abéga indicates how conventional agencies (state, mission, NGOs) each judge Baka by aspects of human behaviour that are crucial to these outsiders: being a full-fledged citizen, a good Christian and having an open attitude towards 'development'. Abéga then touches the sore spot: '(...) they seem to force Baka to make a choice, by making the latter understand that they have no alternative. Well, these choices imply abandoning things that are familiar, leaving behind part of one's identity, and all this in order to arrive at something new of which one cannot yet oversee the consequences. A refusal will only lead to increased pressure.'

Which fundamental questions remain after reading the book?

It is somewhat tricky to discuss a book and then point at questions it did *not* answer, but let me take the plunge. In view of Abéga's philosophical remarks, I hoped he would come up with a reflection on the framework within which we should see the book and the contract approach to Baka development. *Are* Baka actually needy and unhappy? Just what are development projects, including those by INADES, doing? Has the complex of development projects not become a kind of business? Projects more or less hamper each other nowadays in getting at these hunter-gatherers, and sometimes the word 'coordination' appears to be just a euphemism for 'competition'. Bagyeli hunter-gatherers in the western part of southern Cameroon are about to be driven crazy nowadays by all these projects each asking them for the direction into which they want to develop themselves. Bagyeli patiently participate in these meetings, and some of them voice their views over and over again. Each time there is hope that *this* project will get them some tangible results, but it is usually followed by deception. It may well be that such is not the case among the Baka, yet this type of questions remains to be answered.

Did the book arrive at its goal?

The aim of the book was to create a basis for better communication with Baka. A reader then expects to get information that more or less allows him to put himself in a Baka position. This projection is a precondition for good communication. Abéga's text, however, does not succeed in picturing Baka as people of flesh and blood. The reader remains an outsider, but perhaps it is better this way. Inscrutability may well be one of the last resorts for Baka to keep control over their own lives. His book may well be entitled *'The right to be different'*, but I am convinced that Abéga consciously chose to respect the Baka's right to preserve their secrets and privacy.

Karen Biesbrouck *(Leiden University, the Netherlands) is an anthropologist working with Bagyeli hunter-gatherers in southern Cameroon. Her thesis is on the dynamics of local forest management in the context of sedentarization.* ❑

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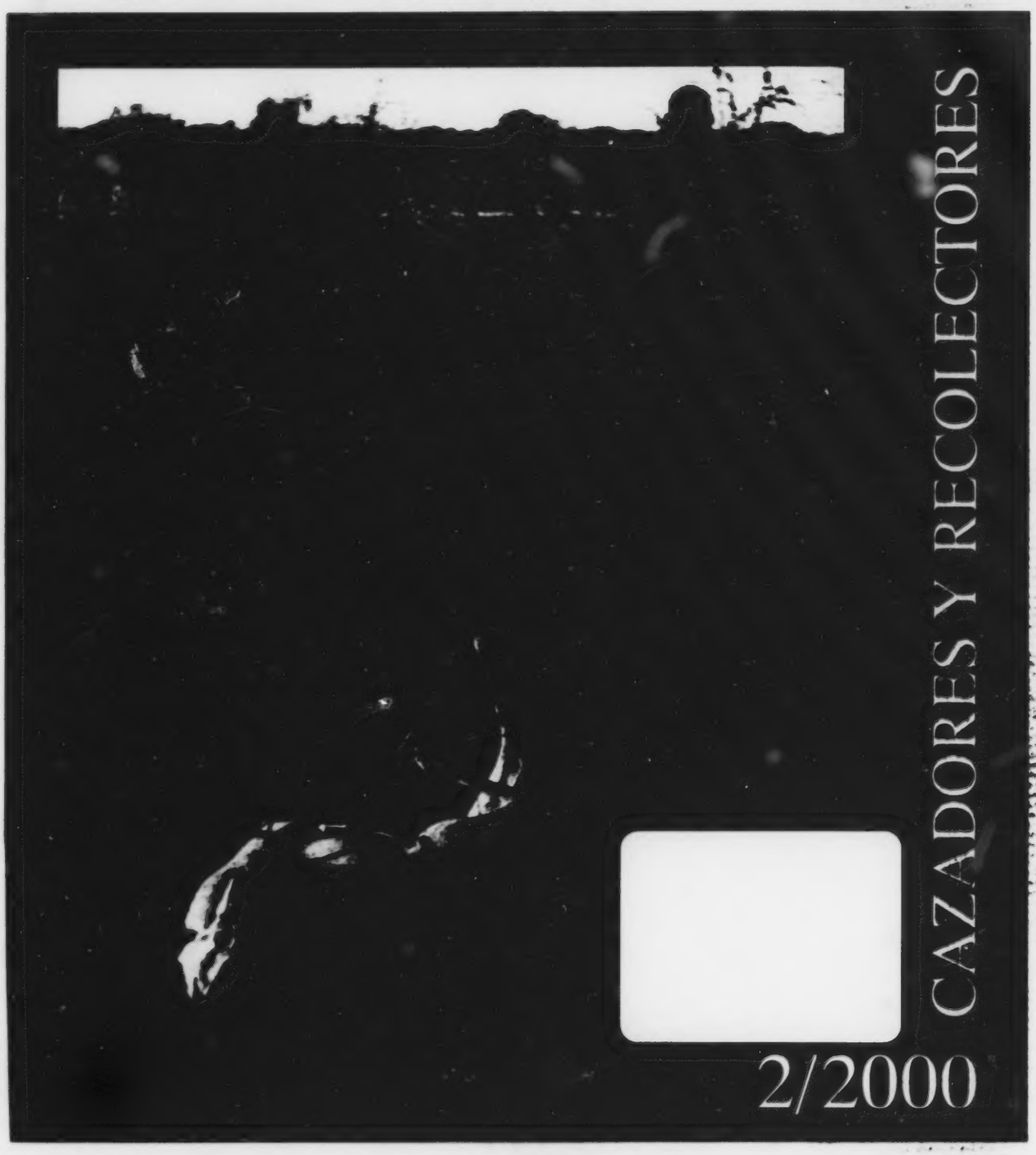

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Cubierta: *Cazadores haddad con su presas. El dueño de la red ha golpeado a la gacela con un garrote y le ha cortado el cuello. A lado se encuentra su compañero de caza con los palos utilizados para espantar a las presas hacia las redes, algunas de las cuales se pueden divisar al fondo. Foto: Ida Nicolaisen*

Editorial

Durante el noventa y nueve por ciento de la historia de la humanidad hemos sido cazadores-recolectores. Todo otro tipo de vida es un fenómeno muy, pero muy reciente. La caza y la recolección han sido por lo tanto parte de nosotros desde el comienzo de la evolución humana. Parece, sin embargo, que nuestra herencia común como cazadores-recolectores y lo esencial que ha sido esta forma de vida para convertirnos en lo que somos, ha sido olvidada y perdida por la mayor parte de la gente hoy. Y los pocos cazadores-recolectores que quedan sufren en consecuencia.

El término cazador-recolector se aplica a grupos que primariamente ganan su subsistencia de la caza de animales salvajes (marinos y terrestres), pescando y recogiendo plantas silvestre y mariscos. Al reservar el concepto para grupos que cultural, espiritualmente y en su organización social están enfocados a la caza y la recolección para su subsistencia y como forma de vida, conceptualmente separamos estos grupos de, por ejemplo, cazadores especializados o recolectores de alimentos silvestres, entre los pueblos agricultores, o cazadores deportivos, en el mundo industrializado.

Actualmente hay solamente un pequeño número de sociedades (probablemente menos de 0,001% de la población mundial) donde la caza y la recolección todavía dominan la vida cotidiana. Sin embargo, se encuentran cazadores-recolectores en la mayor parte de las regiones del mundo: en África, en Asia, en Australia, en el Ártico y el sub-Ártico, así como en las Américas y desde el Ártico profundo a la región tropical, los cazadores-recolectores sobreviven y llevan adelante su forma de vida o lo que algunos falsamente aún perciben como reliquias aisladas de un período totalmente primitivo en la evolución humana. Pero los cazadores-recolectores actuales no son supervivientes aislados o descendientes directos de los primeros hombres. Cada vez más, nos estamos dando cuenta de que la pre-historia y la historia de las sociedades de cazadores-recolectores es rica, compleja y llena de sorpresas. Y, lejos de estar aislados, estos grupos son, y han estado por siglos comprometidos en importantes relaciones de intercambio con sociedades vecinas, desde la comercialización de alimentos silvestres y la venta de su mano de obra hasta el ofrecimiento de sus prácticas rituales y curaciones. Han existido durante largo tiempo, y son cada vez más comunes, diversos grados de integración a los sistemas regionales económicos y políticos.

La cuestión de Asuntos Indígenas presenta casos de casi todas las regiones donde actualmente se encuentran cazadores-recolectores: África - occidental, oriental, central y sur; Asia - sur y sudeste; Australia, el Ártico y sub Ártico, así como las Américas.

Como se ha vuelto evidente a través de cierto número de presentaciones, se comprende mejor a los grupos involucrados cuando también estudiamos la colonización de sus territorios y eventos y procesos subsiguientes en los tiempos pos coloniales. La desnuda, exótica y hostil Jarawa, por ejemplo, puede parecerle a algunos un tipo de sociedad de la edad de piedra, altamente anacrónica, a partir de un reportaje fotográfico en una revista satinada, en tanto que el cuidadoso análisis aquí presentado nos hace ver las estrategias y reacciones de Jarawa como un legado de las políticas coloniales y pos coloniales en la India.

En muchos aspectos, la caza y la recolección podrían ser descritas como una forma de vida moderna y bien adaptada. Estos grupos viven en y de la tierra y el mar, la mayor parte de las veces con relativamente poco daño al medio ambiente circundante. Su adaptación puede ser la única opción disponible sin tener que depender totalmente de las importaciones y de subsidiar la presencia humana en ciertos medio ambientes. Ellos tienen sus propios territorios y un conocimiento íntimo del medio ambiente y las formas de vida que los rodean. Los cazadores-recolectores son flexibles y versátiles y a menudo resultan ser bastante eclécticos en su elección de estrategias de supervivencia. Los grupos actuales van desde aquellos que están casi totalmente desconectados de la sociedad dominante hasta aquellos que eligen el camión como su herramienta principal y comercializan con éxito sus alimentos silvestres para el sofisticado gusto de las grandes ciudades.

No hay razones para sobredimensionar el romanticismo de la vida de los cazadores-recolectores y por ejemplo describirlos como algún tipo de eco-ángeles modelo. Tienen mala praxis y problemas como todo el mundo. Sin embargo, la mayor parte de los grupos han sobrevivido en sus entornos por milenios, por lo que, en conjunto, tiene sentido que en este mundo no abandonen tal forma de vida. Y muchos de los principios que subyacen su adaptación concuerdan con los propósitos que tenemos en mente cuando

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discutimos la urgente necesidad de cambiar radicalmente los principios y prácticas destructores de vida de las modernas sociedades industriales.

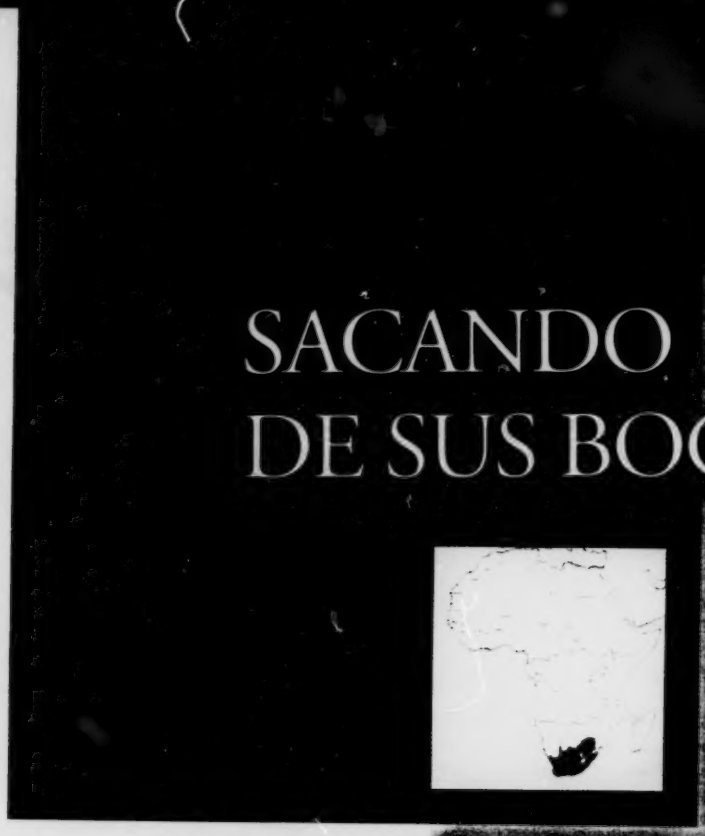
Los cazadores-recolectores han mostrado una notable elasticidad y voluntad de sobrevivir y prosperar. Parece pertinente el enfatizar esto, como se verá claramente en los artículos siguientes. Tristemente, las presentaciones pueden representar la difícil situación de toda la gama de sociedades cazadoras-recolectoras que aún existen así como de los pueblos indígenas en general. Las situaciones de vida de los grupos cazadores-recolectores aquí presentadas, aparecen como un catálogo de horrores: pérdida de tierra, pérdida de títulos de recursos, disminución de la base de tierra, falta de seguridad de posesión, marginalización, reasentamiento forzoso, expulsión de áreas protegidas, destrucción de ecosistemas, dominación, sojuzgamiento, explotación, falta de reconocimiento como pueblos, exposición a riesgos de vida, víctimas de guerras y conflictos circundantes, limpiezas étnicas, son forzados a cambiar sus formas de vida y también a perder su lenguaje, conocimientos, espiritualidad y tradiciones. Los pocos grupos cazadores-recolectores que todavía existen se enfrentan con una serie de problemas profundamente serios.

Hace algunas décadas, las protestas con respecto al destino de estos grupos eran divulgadas principalmente por cazadores-recolectores en el hemisferio occidental como los *inuits* y los indios de Canadá y Alaska y los *inuits* de Groenlandia, así como unos pocos investigadores y organizaciones de derechos humanos. Conjuntamente con el crecimiento global del movimiento y de las organizaciones indígenas, también los cazadores-recolectores están cada vez más respondiendo al llamado y protestando contra los problemas que enfrentan. La mayor parte de las sociedades cazadoras-recolectoras son conocidas por ser fuertemente igualitarias, por enfatizar el respeto hacia el individuo, y raramente mantienen posiciones de liderazgo institucionalizado. Esto se ha visto como un serio impedimento potencial a la necesidad de auto organización de los cazadores-recolectores cuando deben enfrentar las amenazas que encuentran sus comunidades. Aparentemente, tales problemas serán superados: el Consejo Mundial de Balleneros, la Unión de Cazadores de Mamíferos Marinos en Rusia, la Asociación de Cazadores y Tramperos Inuit, los grupos que gestionan tierras en Australia, la Comunidad de Rwandeses Autóctonos (CAURWA) en Rwanda, y el Programa de Integración y de Desarrollo del Pueblo Pigmeo en Kivu en la República Democrática del Congo, presentados en esta emisión, son sólo algunas de las muchas asociaciones de cazadores-recolectores que están operando actualmente. Estos esfuerzos de organización son esenciales para los cazadores-recolectores para ser capaces y estar autorizados a hacer impacto en las decisiones que atañen a su futuro y al desarrollo en sus áreas. En muchas partes del mundo diversos tipos de ONGs e individuos están haciendo juntos un valioso trabajo con las comunidades cazadoras-recolectoras para poder proteger sus tierras, recursos y forma de vida.

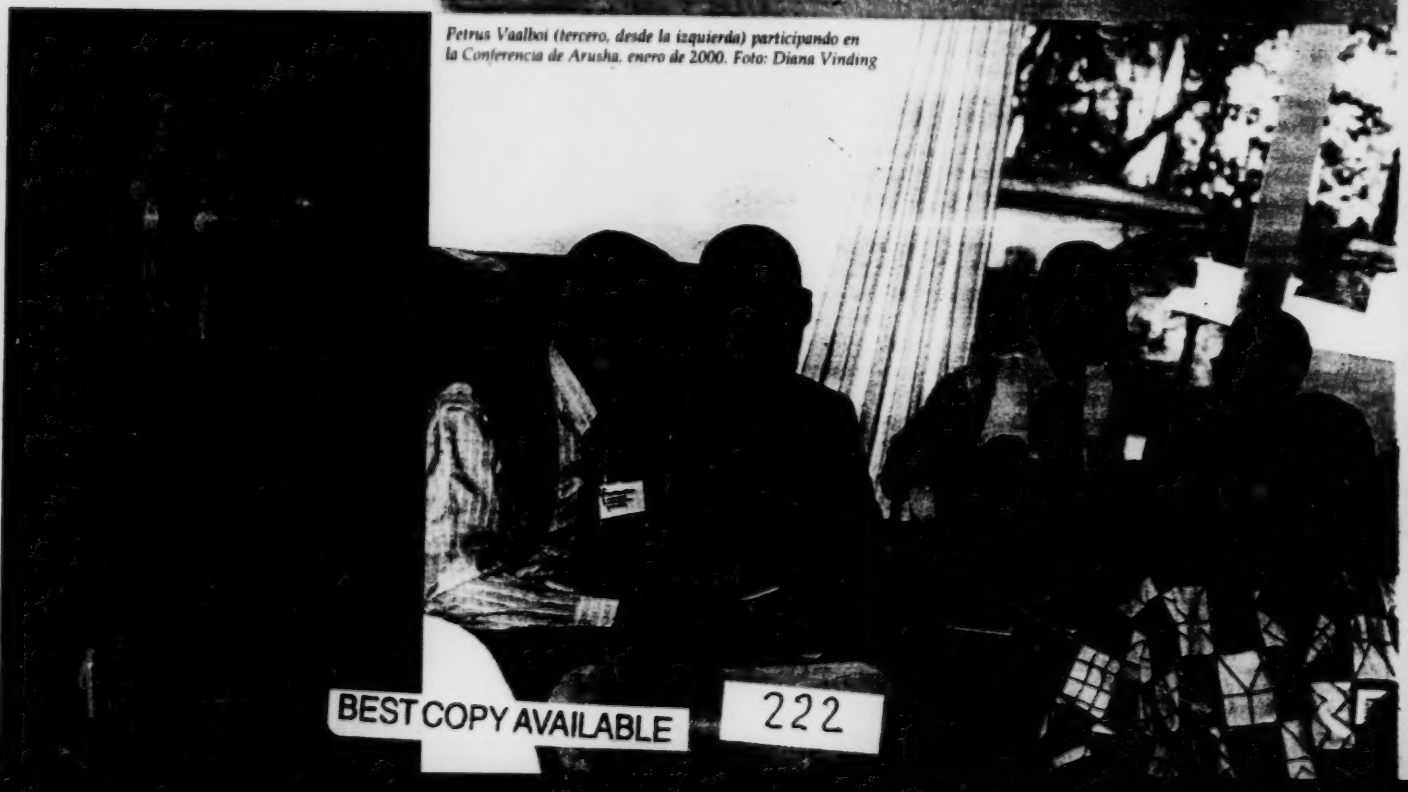
Todos los artículos en esta publicación revisan los recientes desarrollos en un número de comunidades cazadoras-recolectoras y por lo tanto hacen un aporte significativo a nuestro conocimiento y comprensión de su actual situación. Algunos de los artículos informan sobre cómo las tendencias generales de desarrollo tales como las alarmantes tasas de deforestación en Asia, África y Sudamérica están estrechamente relacionadas a las serias consecuencias enfrentadas por un número de comunidades locales pequeñas, como los pueblos selváticos de África Ecuatorial, los *batek*, *orang rimba* o *kubu*, y los *negritos del Sudeste asiático*. Otros artículos presentan grupos tales como el *haddad* del Chad y el *jarawa* de las Islas Andaman, que rara vez aparecen aún en la literatura de investigación especializada. El artículo sobre el área del Chaco, en la Argentina, informa sobre grupos que muchos consideran extinguidos. Sin embargo, incapaces de continuar su vida, ahora buscan sus derechos como comunidades indígenas. Una revisión de la situación de los grupos *pigmeos* del África Ecuatorial contiene información tanto sobre los grupos bien conocidos como sobre aquellos sobre los que casi no hemos tenido información por décadas. Tom Mexsis Happynook proporciona una revisión que no solamente relata su propia historia y la de su pueblo sobre la pesca de ballenas y sus relaciones con la naturaleza, sino también una revisión recientemente actualizada de la pesca indígena de ballenas y la gestión de recursos tanto con noticias sobre comunidades distantes como sobre los escenarios internacionales donde se discute el futuro de la pesca de ballenas y de las comunidades balleneras. A través del artículo de Brody se nos recuerda la inmensa pérdida para la humanidad que está ocurriendo por la vía de la erosión de los lenguajes - un argumento que nos invita a pensar, que tiene relevancia en todos los lugares donde están viviendo los cazadores-recolectores. El artículo de Young sobre la subsistencia contemporánea de los indígenas en Australia es un ejemplo de la necesidad de echar abajo barreras conceptuales obsoletas entre las sociedades cazadoras-recolectoras modernas y tradicionales. Ella también enfatiza un tema recurrente en varios de los artículos - una notable capacidad de supervivencia a pesar de las tentativas a largo plazo y persistentes para degradar o aún borrar la forma de vida de los cazadores-recolectores y su religión y cómo sus relaciones espirituales y obligaciones hacia la tierra son parte de su forma de conservar el medio ambiente.

IWGIA ha tenido por largo tiempo el compromiso de atraer la atención hacia la difícil situación de grupos como los cazadores-recolectores, de publicar y de dedicarse al trabajo en los derechos humanos y actividades de proyectos. Algunos ejemplos recientes son los proyectos que implican crear capacidades y esfuerzos de organización entre los llamados *bosquimanos* en Botswana, pero también entre las nuevas organizaciones de pigmeos. Un documento sobre los *twa* alrededor del Parque Nacional Kahuzi-Biega en la República Democrática del Congo que se proyecta publicar y nuestra lista de publicaciones incluyen un número de documentos que únicamente o en parte tratan sobre los cazadores-recolectores. Nuestro más reciente documento (no. 98) delinea los serios problemas enfrentados por los *hadzabe*, un grupo cazador-recolector de Tanzania. Al mismo tiempo que se publicaba el documento sobre Hadza, recibimos la triste noticia de la muerte prematura de Bwire Kaare, el antropólogo de Tanzania que dedicó tantos esfuerzos a estudiar los *hadzabe* y abogó por la protección de sus derechos. La pérdida de un magnífico investigador y un defensor de los derechos humanos nos recuerda no sólo la fragilidad de la vida humana, sino también cuánto tenemos todavía que aprender y qué poco podemos permitirnos perder en este mundo unas pocas sociedades luchadoras de cazadores-recolectores. ❑

SACANDO LAS PALABRAS DE SUS BOCAS



Por Hugh Brody



Petrus Vaalboi (tercero, desde la izquierda) participando en la Conferencia de Arusha, enero de 2000. Foto: Diana Vinding

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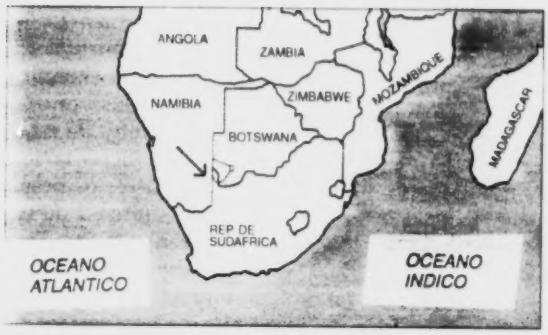
Los seres humanos realizan unos 160 sonidos diferentes[1]. Esto, dicen los lingüistas, es la suma de los elementos vocales de todos los idiomas del mundo. El inglés, uno de los más complicados sistemas vocales, tiene unos 55 de estos sonidos. El noruego tiene 75. Las lenguas bosquimanas o san del Kalahari tienen más de 145. Según las palabras de Tony Traill, un experto en lingüística de África del sur, los san son los grandes acróbatas de la boca. En sus campañas contra tribus, en particular contra cazadores-recolectores, los colonizadores los han despreciado por el mismo sonido de sus voces y, con una curiosa determinación, han tratado de erradicar sus lenguas. Como si la mente de la tribu fuera en sí misma el enemigo.



La pérdida de los lenguajes tribales

En todo el mundo ha habido una drástica pérdida de las lenguas tribales. Algunos lingüistas estiman que se han perdido unas 5.000 lenguas o dialectos diferentes en este siglo. Sólo en las Américas hay más de 1.000 lenguas que han desaparecido o llegado al límite de la extinción durante los pasados 30 años. Con la expansión de escuelas y otros procesos sociales homogeneizantes, el ritmo de esta pérdida se ha acelerado; y continúa haciéndolo. La pérdida de estas formas de hablar y de conocer al mundo es una disminución de la mente humana colectiva: una pérdida del genio que muy bien puede ser irrecuperable. Es también causa de una intensa pena y desorientación para cientos de miles de hombres y mujeres tribales que luchan por ser ellos mismos sin palabras para expresar lo que significan.

En África del sur, los colonizadores holandeses descartaron las formas *khoisan* de hablar como "farfullos de monos". En los bosques de India, los misioneros notaron que gran parte del lenguaje estaba "dotado de una pronunciación chasqueante, dura, pesada, peculiar de todas las lenguas bárbaras". En Australia, las formas aborígenes de hablar eran frecuentemente descritas como "inferiores a la humana". Tanto en los Estados Unidos como en Canadá, aquellos interesados en tratar con el "problema indio" en el siglo XIX resolvieron que esas "lenguas bárbaras" serían erradicadas, abriendo camino al inglés el cual "todos los que son civilizados pueden comprender".

La limpieza étnica y el genocidio son frecuentemente considerados como el curso especial del siglo veinte. Pero en su forma original, como guerra entre colonizadores contra tribus, de agricultores contra cazadores, ha sido una horrible parte de la historia del asentamiento humano durante miles de años. Y la limpieza étnica ha sido la experiencia de todos los pueblos indígenas y tribales en todos lados donde el colonialismo agrícola ha avanzado. Usando acero, caballos, gérmenes, armas, tribunales, iglesias, escuelas y parlamentos – en cualquiera de las combinaciones o secuencias que funcionaran mejor para cada invasión en particular- aquellos del viejo mundo, hambrientos por nuevas tierras, han invadido los territorios de los pueblos del nuevo mundo. Nuevo sólo para nosotros, por supuesto.

La remoción de las grandes tribus de Georgia en el sudeste de Estados Unidos fue debatida, predicada y promovida antes de que hicieran tambalear a los llamados territorios indios de las llanuras occidentales en lo que se conoció como la Senda de Lágrimas. Y de las capitales europeas llegaron instrucciones a los gobernadores coloniales que resultaron en la limpieza y empalidecimiento de las colonias de África, Asia, Australia y todos los dominios aborígenes del Pacífico, así como todas las regiones de las Américas.

El ataque de los europeos contra las lenguas tribales está bien documentado y es más persistente cuando las víctimas han sido cazadores-recolectores. Estas eran las tribus cuyos estilos de vida significaban que estaban dispersas por todas las fronteras de la colonización. Esto parece tener una compulsión a alcanzar, en esos lugares, un silencio final y decisivo. El holocausto no bastaba, el diezmo de la población, la erradicación de culturas enteras, la reubicación de comunidades de las tierras que los colonizadores querían de aquellos que no querían, el confinamiento de los supervivientes de estos proyectos en diminutas "reservas" y "reservaciones" y "territorios" no logró un silencio que fuera tan absoluto. Había sobrevivientes, adultos y niños que podían mantener las tradiciones, actitudes e idiomas de la tribu. Los administradores de las tierras y sociedades indígenas, los árbitros imperiales del destino tribal, intentaron poner un fin a estas voces. Los sonidos de los monos parlantes, las lenguas bárbaras y las vocalizaciones infrahumanas deberían cesar, para ser reemplazadas por el inglés o el español, portugués, francés, afrikaans; cualquier lenguaje de la "civilización".

Las voces de las tribus

Los pueblos tribales dicen frecuentemente que tener historias sobre la tierra es poseerla. Las voces continuas, utilizando las lenguas que transmiten las historias, que mantienen el conocimiento, que sustentan los vínculos con los espíritus son un desafío permanente. Un título rival sobre el territorio. Deben ser silenciadas.

Las voces de las tribus de nuestros "nuevos mundos" contienen su propia forma de poseer, conocer y cuidar sus

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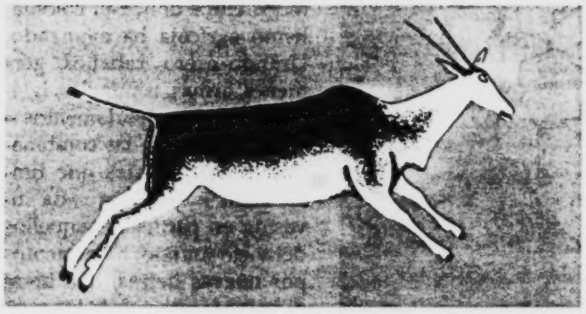


tierras. Sus historias son una forma de resistencia y un registro de lo que ha sucedido. Sus formas de hablar y sus formas de conocimiento representan algunas de las más antiguas y ricas expresiones de la mente humana. Su silencio tiene una penetración que alcanza a lo más profundo de la historia, del mundo y del destino de la mente humana.

Todo esto significa que dentro de muchos estados nacionales existen estilos de vida, culturas enteras, aunque presionadas hacia los márgenes tanto de la geografía como de la sociedad, cuyas existencias están conformadas por una amarga paradoja. Por un lado, estos son pueblos cuya presencia en territorios particulares se remonta a un tiempo cuando los estados nacionales no existían: son los habitantes originales, indígenas y pueden alegar prioridad y derechos que trascienden aquellos de todos quienes son relativamente recién llegados a sus tierras. Pero viven en márgenes políticos, legales y geográficos, privados de muchos de sus más ricos recursos y se les niega sus derechos a su patrimonio, si no también a la misma vida. Esta paradoja, la profundidad de la demanda histórica a lo largo de la extrema explotación colonial, define a los pueblos tribales del mundo.

En los años 60, emergieron movimientos eruptivos de liberación de los pueblos tribales y la historia de esta paradoja fue relatada con una fuerza mayor. En Canadá, el gran líder *shuswap*, George Manuel, acuñó la expresión "el cuarto mundo" para definir a una comunidad de intereses tribales. Su visión era de naciones emergentes, no de comunidades quebradas. Las tribus, según su punto de vista, eran naciones dentro de naciones y deberían ser reconocidas como tales. Pero también dijo, repetidamente, que el ataque colonial contra el cuarto mundo era más claramente considerado en ataques contra el patrimonio cultural y la lengua, tanto institucional –por misioneros, funcionarios del gobierno local y escuelas- y más sutilmente subversivo como en el racismo de los colonizadores de frontera y las rutinas discriminatorias de la vida cotidiana.

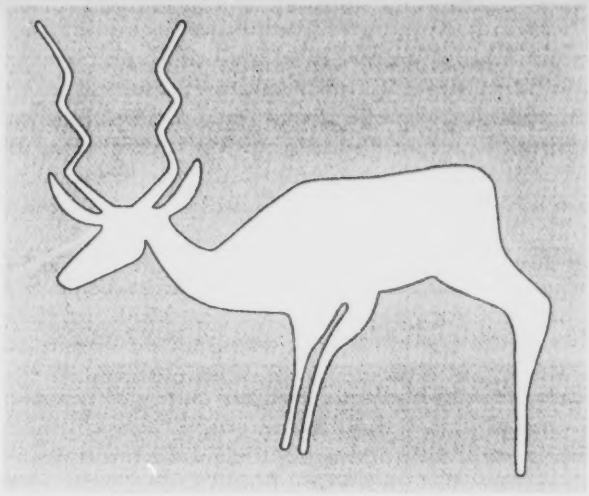
Desde el trabajo de Frantz Fanon, los intelectuales y activistas han estado alerta sobre la forma en que esta combinación de fuerzas racistas –lo institucional y la rutina- se introducen en las vidas y la psiquis de los pueblos tribales. Aquellos que sufren una prolongada opresión colonial internalizan las actitudes de aquellos que los oprimen. La ira de los pueblos tribales es intensa, pero está frecuentemente dirigida internamente. Y caen en un profundo silencio.

No es de sorprender, entonces, que los descendientes sobrevivientes de estas tribus, los hombres y las mujeres cuyas herencias orales relatan las historias así como las heridas de estos despiadados e inhumanos eventos, tienen una intensa dificultad y relaciones complicadas con sus propias voces. Frecuentemente hablan las lenguas de sus opresores y han absorbido las lecciones que los opresores les han enseñado: las costumbres indígenas, la historia y las formas de expresarse son objeto de vergüenza. Ellos testimonian en sus vidas cotidianas la continua discriminación y desdeño que se les demuestra. Entonces, ¿cómo pueden hablar? ¿Y a quién? Muchos pueblos tribales han sobrevivido permaneciendo escondidos, silenciosos y desapercibidos, en los márgenes más remotos del mundo colonial. Han juzgado como inseguro o no sabio plantear sus contextos y voces demasiado más alto que los parapetos detrás de los cuales han logrado esconderse. ¿Quién fuera de ellos los va a escuchar? ¿Quién sabe como escuchar? Así que el silencio es apropiado en muchas formas, pero este silencio también puede ser profundo dentro de la psiquis tanto como un asunto de sabia estrategia. La vergüenza y la pena, acumulada de generación en generación, pueden atar la lengua.

Rompiendo el silencio

No obstante, el silencio, en muchas partes del mundo, se está rompiendo. Movimientos de reclamo de tierras, revitalización cultural, protestas anticoloniales, una negativa a desaparecer. Las voces tribales se están haciendo oír, hablando con sus familias, sus hijos y nietos, sobre sus propias vidas. Sus historias celebran tipos distintivos de conocimiento y hablan de acontecimientos cotidianos en sus propias tierras. Son afirmaciones de orgullo y derechos: conocer su lugar es reclamarlo, no importa lo que digan los colonizadores.

Pero esto es solamente un reflejo, un eco de la afirmación de los derechos y voces tribales en todo el mundo. Podríamos estar oyendo al pueblo de Papua Occidental (Irian Jaya), el cual ha luchado durante una generación contra una invasión asesina de sus tierras y vidas por los colonizadores indonesios y el ejército. En Sri Lanka,



los *vaniall-atto*, antiguos habitantes de toda la isla, ahora reducidos a 2.000 personas, están luchando por sus derechos. En Australia, los grupos aborígenes están defendiendo cada parte de lo que resta de su patrimonio y tierras, llevando sus historias a los tribunales así como mutuamente. En toda América Latina, los pueblos indígenas están levantando sus voces para mantener sus voces – desafiando el proceso genocida que comenzó con la llegada de los primeros europeos y ha reducido su cantidad y lenguas en un 90%.

Hay muchos tipos de pueblos tribales. Quizá todos nosotros podamos alegar alguna forma de pertenencia tribal, alguna comunidad que a veces decimos que pertenecemos que no es nuestra identidad nacional. En muchos países hay poblaciones, subculturas que están estigmatizadas por un grupo dominante como oscuras, sucias y peligrosas. Son los "otros" que tienen la tarea de defender su patrimonio y, a veces, sus mismos hogares contra muchas formas de agresión. También pueden ser víctimas del etnocidio. Incluyen, por supuesto, los pueblos para cuyo destino se acuñaron las expresiones modernas de "solución final" y "limpieza étnica". En muchas formas, y en puntos particulares de sus historias, los kosovanos, los bosnios, los kurdos, los armenios, los gitanos y los judíos (para nombrar algunos pocos) han sufrido formas brutales de prejuicio y despojo. Y sus voces también han sido suprimidas. Quizá puedan hacer causa común con los tribales quienes viven la paradoja de la demanda más antigua y el menor estatus. Sus experiencias y, por lo tanto, sus voces, sonarán familiares a todos aquellos que han participado en las luchas de las poblaciones indígenas.

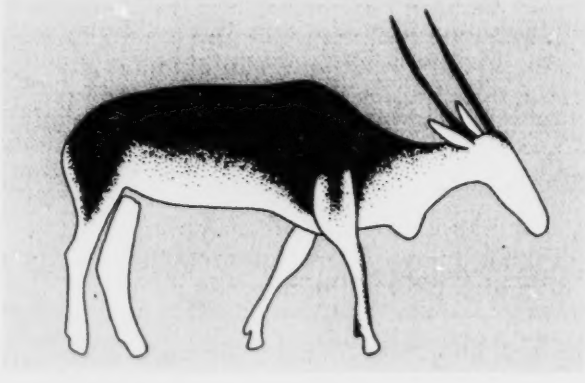
El resurgimiento de la voz tribal tiene que ver tanto con la tierra como con la lengua. Para los pueblos tribales, la conexión entre la lengua y la tierra es evidente en sí misma: siempre han estado allí; su conocimiento de esos lugares es inseparable de su fortaleza económica y de su derecho a estar allí. Están donde se libra la batalla. Desde el punto de vista de los colonizadores y sus estados nacionales, estos son territorios marginales, estériles. (Aunque algunos de ellos ahora se descubre que son ricos en minerales, constituyendo, algunos de los más remotos territorios tribales, una nueva presa colonial). Son las tierras donde los pueblos tribales han sido capaces de soportar, más allá de las más agresivas incursiones de los colonizadores. Son lenguas que de alguna manera "pertenecen al pasado". Así que puede parecer que la batalla por la tierra y las lenguas tribales es un tema periférico, una pequeña escaramuza en los mismos bordes de la importancia. Pero estas voces hablan por un vasto sector de la historia humana, alcanzando aspectos, si no las historias, de todos nosotros.

Puede también parecer que las demandas tribales son anacrónicas, una demanda contra una irreversible modernidad. Que no son ingeniosos: la mayoría de los pueblos indígenas abrazan las nuevas y visibles oportunidades, así como los peligros, tomando su lugar, por lo tanto, como actores y víctimas de los vandalismos, incluso dentro de sus fronteras coloniales. Pero las modernas personas tribales no están argumentando por un restablecimiento del pasado. En cambio, están tratando de obtener sus propios recursos para prosperar en el presente. Con las tierras y lenguas que ciertamente les pertenecen, pueden vivir con todo tipo de opción y la fortaleza de la cultura y la fuerza individual. Esto se aplica a Nunavut, el nuevo territorio *inuit* dentro de Canadá, como también para los *=khomani* (1) que tratan con Sudáfrica en el sur del Kalahari. Incluso en los márgenes de los modernos estados nacionales, en las regiones que son dejadas a ellos, ellos, como todo el mundo, necesitan vivir del centro de ellos mismos.

Resurrección: el ejemplo de los =khomani en el sur del Kalahari

Anna Kassi: *" Sí, vida. ¿Cómo se mueve la vida? ¿Va en sentido directo? ¿O se tuerce? .... Si los boer nos hablan, debemos hablar afrikaans con ellos y olvidar la lengua. No obstante, es la más bonita lengua. Estos niños hablarán ... Ese niño, dispara con la lengua".*

Andries Oleyn: *"Por eso soy yo él que estoy aquí... Aquél que procura la tierra de su madre y padre y abuelo ... donde caminábamos donde deseábamos ... antes de que los otros llegaron a atraparnos ... por eso es que estamos luchando por estas cosas. Luchamos por nuestra tierra".*



Los páramos y desiertos de Sudáfrica eran las tierras de los bosquimanos, ahora conocidos como los san. Quinientos años de asentamiento y colonialismo, primero por los inmigrantes de habla bantú de África y luego por los pesadamente armados europeos, quienes despojaron y silenciaron a los san. Vastos establecimientos ganaderos y ovejeros reemplazaron su red de territorios de recolección y caza, sus campamentos y comunidades, sus animales y su medio ambiente. Muchos miles de san fueron tomados como fuerza de trabajo forzada, aprisionados (fueron los primeros locatarios de Robben Island), cazados y asesinados. La frontera de los agricultores se extendió más al norte, a través de Karoo, hasta el río Orange y, en el siglo veinte, hasta el Kalahari. Los cerebros que comprendían a los animales domésticos y una cristiandad primitiva prevalecieron. Una inmensa enciclopedia de conocimiento de aquellos lugares –de su agua, plantas, animales, médanos y espíritus- fueron eliminados. Muchas lenguas de los san, cada una portadora de las historias y misterios de su mundo, desaparecieron.

Elsie Vaalboi: *"Yo amaba la lengua bosquimana ... Si pienso sobre esto ahora, todos mis hermanos podían hablar bosquimano, todos lo hablaban. Pero cuando llegó el pan, entonces se transformó en "Sí Señora, sí ".*

Elsie Vaalboi nació en los comienzos de 1900 en al sur del Kalahari. Pasó la mayor parte de su vida adulta como sirvienta en granjas blancas. Su pueblo, los =khomani son la última sociedad san de Sudáfrica, los sobrevivientes del holocausto de los bosquimanos. En los años '70, tanto el gobierno del "apartheid" como los expertos en las culturas bosquimanas decretaron que los =khomani habían dejado de existir. Los lingüistas anunciaron que la lengua había dejado de existir.

Elsie Vaalboi sabía la lengua =khomani. Pero sus hijos no, ni tampoco sus vecinos. Ella creía que era la última =khomani parlante en la tierra.

Elsie Vaalboi: *"Nada, nada. No había nada, sólo las desiertas dunas de arena. Eso es lo que no conozco – si conseguíamos agua para beber. Éramos unos bosquimanos tan desnudos. Yo sólo sé que comía tsama's y pepinos, y comía esa cosa, y comía la otra. No conocía el agua corriente. Ahora que soy tan anciana, ahora lo debo descubrir. En esos días, en el Kalahari, vivíamos sin agua corriente".*

Petrus Vaalboi: *"Aquí estoy sin la lengua de mi madre, sin la lengua de mi padre. Soy impotente. Sólo tengo el afrikaans. Estoy afuera. A veces me siento como en el exilio. Eso, eso es la tristeza. Entonces se siente cuán doloroso es, si uno carece de lengua. Si lo hubiera podido hablar ... pero no pude. No puedo. Y ahora, ahora tengo la oportunidad. Cuando el gobierno comienza a moverse".*

Reclamando su tierra y salvaguardando su lengua

En 1977, unos de los hijos de Elsie, Petrus, comenzó a trabajar con el Instituto San Sudafricano (SASI), una pequeñísima ONG en Ciudad del Cabo. Se reunieron con familias =khomani que eran intrusas en Welkom, una comunidad en el borde del Parque Nacional de Gemsbok del Kalahari, vendiendo artesanías y fotografías a los turistas.

Trabajando con Roger Chennells, un abogado especializado en derechos humanos, SASI decidió reclamar las tierras =khomani. Elsie Vaalboi registró un mensaje en lengua =khomani, dirigido al gobierno de Mandela. Quizá no hubiera nadie en el mundo que pudiera entender sus palabras, pero ella explicó en afrikaans: el tiempo ha llegado, dijo, para que los bosquimanos recuperen sus tierras y su lengua perdidas. Los boer tenían que retirarse y dejar a los bosquimanos vivir de nuevo en sus hogares reales.

SASI comenzó una búsqueda de los sobrevivientes =khomani. También buscaron personas que hablaran de la lengua. En 1998, fueron a Swartkop, una serie de rancherías y cabañas a 10 kilómetros de Upington, la principal ciudad de Cabo Norte. Habían oído que había una familia =khomani que vivía allí. Encontraron cuatro mujeres, tres hermanas y una prima. Eran delgadas y frágiles, en los finales de sus sesenta o setenta años. Eran bosquimanas, dijeron, y hablaban su lengua. Ellas escucharon la banda de sonido de Elsie. Quedaron asombradas y deleitadas y grabaron un mensaje de respuesta. Sí, dijeron, ellas también hablaban "boesmantal". Y sí, dijeron, había llegado el momento de luchar para recuperar sus tierras y salvar su lengua.

SASI envió la cinta de Swartkop a Elsie. Ella descubrió que no era la única parlante en el mundo, por primera vez en muchos años ella escuchó su propia lengua. Ella envió una respuesta. *"Sí ustedes realmente comprenden mi idioma, entonces entenderán esto. No podemos vivir con los boer. Debemos recuperar nuestra tierra y vivir otra vez como nosotros mismos".* La búsqueda por la diáspora =khomani continuó. A comienzos de este año, se habían encontrado 15 personas que hablaban esta lengua – al borde de pueblos habitados por personas de color, como trabajadores aislados en barracas junto a las granjas blancas, en los márgenes. Se encontraron, hablaron, intercambiaron esperanzas. Y constituyeron el centro del reclamo de tierras.

Familia por familia, los =khomani juntaron los acontecimientos de los últimos 50 años. Fueron al Kalahari Gemsbok Park, donde muchos de ellos habían vivido y de donde habían sido expulsados. Fueron a los lugares que amaban y habían conocido mejor. Señalaron los árboles que ellos conocían, las tumbas de sus parientes, los mejores lugares para cada clase de planta. Hicieron una lista de los nombres =khomani para todo. Y plantearon su pena y su determinación para retornar a lo que era de ellos, tanto tierra como lengua.

Una Rooi: *"Yo nací aquí. Aquí, cuando era muy joven, mi abuela, la madre de mi padre, me cortó el cordón umbilical. Y allí, en el "monte", recolectó para mí... Aquí es donde vivíamos, donde estaba la casa de mi madre. Todavía la puedo ver hoy, cómo ese lugar parecía. Y se me rompió el corazón cuando miré hacia arriba, más allá de las ramas de los árboles... Mi árbol, mi árbol, mi árbol. Cómo no pudieron pensar que habría personas que volverían a pararse bajo mi árbol. Mi madre enterró mi cordón aquí. Quisiera tanto cuidar de mi árbol".*

***Andries Oleyn**: "Allí nací, allí comencé a ser un ser humano ... En esos tiempos vivía solamente como podía y solamente del pecho de mi madre... Luego sobrevino la comprensión, comenzó a venir. Porque cuando logré totalmente mi comprensión, ya estaba entre los granjeros, los boers. Ya entonces los granjeros nos dispersaban por aquí y por allá ... Y los granjeros, nos cazaban uno a uno como a ovejas ...¿qué íbamos a hacer?"*

***/Una Rooi**: "Ellos quemaron nuestros hogares ... Entonces mi padre le preguntó '¿Por qué Señor?' ¿Dónde piensa que debemos vivir?' Entonces él le preguntó a mi padre, '¿Qué quieren hacer? Ustedes no tienen la validez de preguntar por qué'. Luego golpeó a mi padre ... cuando mi padre cayó había cuatro oficiales y dos de ellos los sujetaban por los brazos y dos por las piernas ... Luego huimos. Y siempre quise mucho a mi hermano ... mi hermano y yo huimos y dijimos, 'Ma. Cuando mi padre cayó mi madre estaba allí ... y dijo ' Señor, ¿cómo puede usted hacer eso? él no dijo nada malo, él sólo preguntó por qué estaban quemando nuestra casa'. Y entonces él dijo, 'Oye, muchacha, lárgate'. Y se llevaron a mi padre a la prisión ...y él murió... murió. Un hombre bueno, mi padre, y asesinado".*

Aquí está su tierra...

A comienzos de 1999, las demandas de los san =khomani ya estaban tomando forma. En base a la legislación del gobierno sudafricano con respecto a la demanda de tierras, que establece que cualquier desplazado o despojado desde 1913 por leyes o procedimientos racistas pueden procurar restitución o compensación, los =khomani reclamaron el Parque Kalahari Gemsbok y tierras adyacentes. Después de difíciles y complejos argumentos, la demanda fue aceptada.

El 21 de marzo de 1999, el entonces presidente adjunto Thabo Mbeki, junto con su ministro de asuntos de tierras Derek Hanekom, viajaron al sur del Kalahari y se reunieron con Petrus Vaalboi, Dawid Kruyper, las hermanas Swartkop y muchos otros. En una ceremonia formal firmaron un acuerdo, otorgando a los =khomani derecho sobre 50.000 hectáreas de tierras dentro del Parque Gemsbok Kalahari y 40.000 hectáreas fuera del mismo. Los detalles del acuerdo todavía están en negociación – incluyendo el papel que los = khomani jugarán dentro de la administración del parque, su papel en el turismo y la creación de un nuevo sitio aldeano.

Thabo Mbeki: *"Reconstruiremos los lazos rotos del pasado distante para que nuestros sueños puedan enraizarse. La historia de los khoe (nama) y los san nos han contado que este sueño es demasiado para que lo contenga una sola persona. Es un sueño que debe ser soñado colectivamente, por todo el pueblo... Es soñar juntos –reconstruyendo los lazos rotos que nos separaron en el pasado- que todos nosotros produciremos una vida mejor para ustedes que han sido las víctimas de la peor de las opresiones. Ahora es mi momento de decir... Aquí está su tierra. Tómenla, cuídenla y disfrútenla".*

/Una Rooi: *"/Aise" " Gracias"*

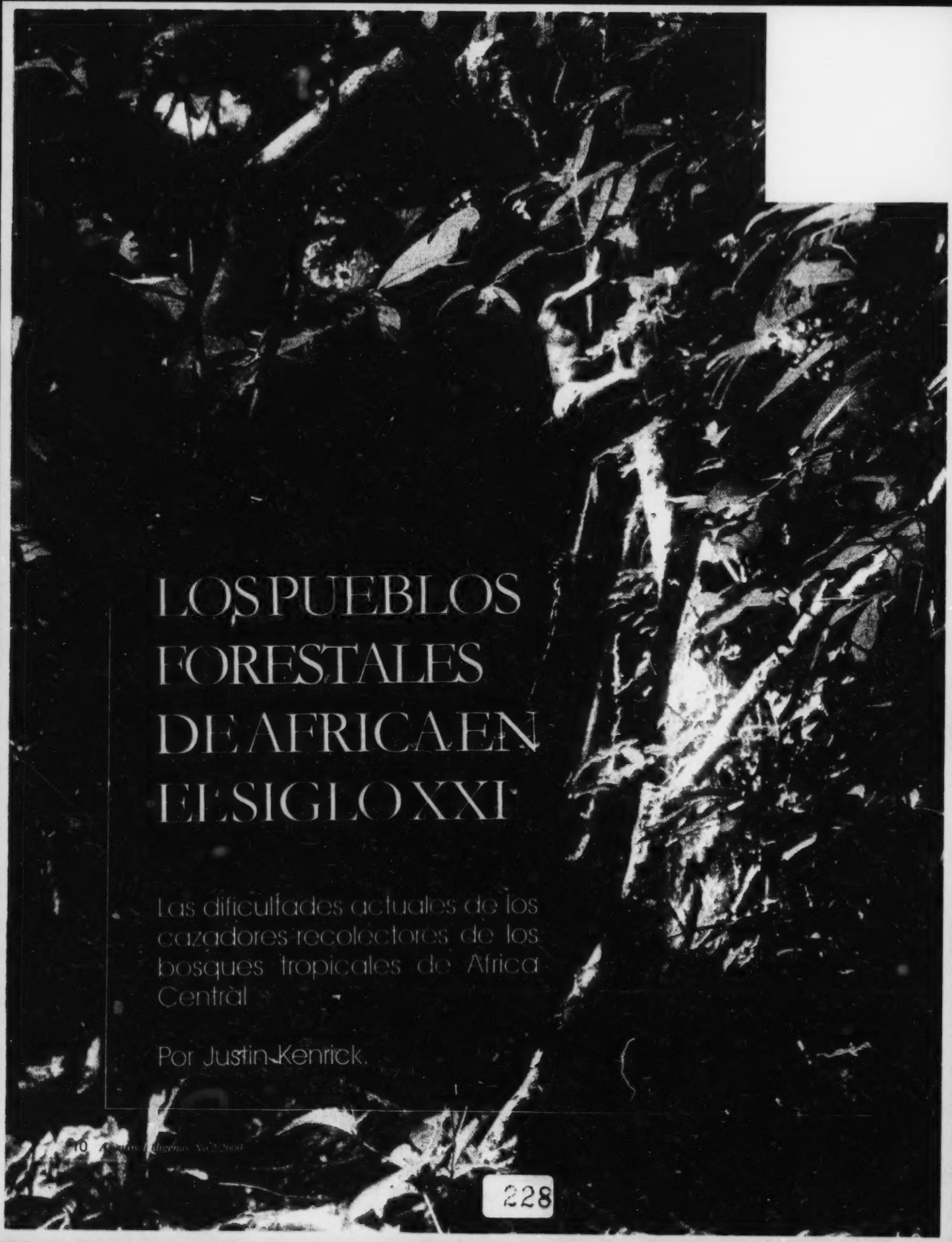
Este artículo es una versión apenas revisada de dos artículos publicados por la publicación bimestral británica, "Index on Censorship" 4, 1999.

Nota:

IWGIA reconoce el permiso otorgado por *Index on Censorship* para reimprimir este apenas revisada edición de dos artículos de Hugh Broday publicados en su edición no. 4, 1999.

[1] Los símbolos / y = son usados para señalar el sonido chasqueante por el cual las lenguas san son famosas.

***Hugh Brody** es un antropólogo y cineasta. Ha vivido con cazadores y recolectores en el Ártico y Subártico y está trabajando ahora con la comunidad san del sur del Kalahari. Sus libros incluyen The People's Land, Living Arctic y Maps and Dreams. Fue miembro de la Comisión Morse del Banco Mundial en la India occidental.* ❑



LOS PUEBLOS FORESTALES DE AFRICA EN EL SIGLO XXI

Las dificultades actuales de los cazadores recolectores de los bosques tropicales de Africa Central

Por Justin Kenrick.

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Introducción

Este artículo tiene la intención de ser un breve resumen de la actual situación de los pueblos del bosque (o *"pigmeos"*) de los bosques tropicales de Africa Central. En total suman probablemente entre 250.000 y 300.000 individuos y su situación varía tremendamente [1].

Hay dos modos distintos de observar su situación marginal. La primera es en términos de la severa discriminación que pueden sufrir a manos de sus vecinos agricultores y otros; la segunda es en términos de la resistencia y fortaleza de su sistema social igualitario. La discriminación severa es más evidente para aquellos grupos que ya no tienen acceso a su base de recursos forestales, pero también es un tema poderosamente subsistente, o frecuentemente dominante, para los grupos de base forestal en relación a sus vecinos agricultores. Examinar primariamente su situación en términos de discriminación puede ser crucial para aquellos grupos que ya no tienen acceso al bosque, pero usando el enfoque en relación a grupos de cazadores-recolectores que dependen de productos del bosque, generalmente conduce a enfoques que separan a los cazadores-recolectores de sus vecinos agricultores, frecuentemente en el contexto de los intentos de evangelización para hacer que abandonen sus propias creencias y los intentos de sedentarizarlos para que se puedan convertir en agricultores. Entonces, enfocando simplemente la discriminación que ellos experimentan puede oscurecer las fuerzas de su propias formas culturales y sociales.

Allí donde el bosque continúa proveyéndolos de una base de recursos independiente, también prueba ser el contexto para las creencias y experiencias que sustentan una economía de compartir y un sistema político que es esencialmente fluido e igualitario. En este contexto, los pueblos del bosque son capaces, en grados variables, de ejercer alguna, o una gran autonomía para determinar la naturaleza de su interacción con sus vecinos agricultores y con los más recientemente llegados al bosque. Donde su base de recursos ha sido destruida hace largo tiempo o les ha sido negada, ya sea a través de la deforestación o mediante el control ejercido sobre ellos por los agricultores vecinos, por los asentamientos misioneros y más recientemente a través de los proyectos de conservación, restringiendo o negando su acceso al bosque, ellos han sido frecuentemente reducidos a virtual servidumbre y pobreza. Tanto la infraestructura para las concesiones madereras y otros agentes de deforestación, así como el respaldo financiero para los proyectos de conservación han sido frecuentemente financiados o apoyados por el Banco Mundial (por ejemplo a través de la Comisión de Medio Ambiente Global) y otras agencias internacionales. Aunque los gobiernos centroafricanos tienden a considerar que los pueblos de los bosques necesitan ser sedentarizados –ya sea con propósitos de control impositivo y para asegurar que el resto del país no sea estigmatizado como atrasado por la asociación con tales pueblos- el trabajo real de sedentarización es frecuentemente realizado por ONGs occidentales del norte y misioneros, e indirectamente facilitado por la destrucción o protección de los bosques.

Aquellos pueblos cuyo bosque todavía está bastante intacto pasan parte del año cazando y recolectando en su territorio y algunos viven cerca de aldeas de agricultores trabajando en los campos. Ahora tienden a trabajar durante un tiempo para las compañías madereras, en proyectos de conservación, en safaris de cazadores o con grandes comerciantes de carne. Sin embargo, ellos pueden también denunciar vehementemente la consecuencia de tales actividades cuando se hacen notorias. También pueden resentir amargamente su falta de acceso por estar controlado o negado por las políticas de sedentarización gubernamentales, por las compañías madereras o las restricciones conservacionistas. Los tres grupos más grandes de pueblos del bosque que todavía, en gran medida, mantienen su base de recursos forestales son: los *mbuti (o bambuti)* y *efe* del bosque de Ituri en el Congo, los *baka* del sudeste de Camerún y el noroeste del Congo Brazzaville, y los *aka* (o *ba-aka*) del norte del Congo-Brazzaville en la República Centroafricana.

Los agricultores tienen generalmente una actitud ambivalente con respecto a estos cazadores-recolectores: a veces los consideran como esclavos y apenas humanos y a veces como iguales o incluso como los seres civilizados originales. Mientras que, en el pasado, estos cazadores-recolectores han sido fundamentales para los agricultores, permitiéndoles beneficiarse de los productos forestales, protegiéndolos de los espíritus del bosque y asegurando ritualmente la fertilidad de los campos, hoy, en muchos lugares, los bosques han disminuido en importancia y como resultado tales cazadores-recolectores y ex cazadores-recolectores se han visto marginados y severamente discriminados. Mientras que su universalmente reconocido estatus como habitantes originales del bosque antes servía en algunas áreas para subrayar su vida forestal autónoma y su habilidad para relacionarse con otros como iguales, ese estatus es ahora frecuentemente considerado como un símbolo de su atraso. Cualquier derecho

Izq.: hombre mbuti trepando en busca de miel
Foto: Robert Grantham

prioritario a los recursos que puedan haber tenido ha sido derogado, primero por los colonialistas y luego por los gobiernos nacionales que han tendido a ignorar completamente los sistemas tradicionales de propiedad de la tierra.

Sin embargo, si bien nos centramos en los tres grupos principales de pueblos del bosque que todavía, en gran medida, mantienen su base de recursos, es importante incluir en nuestra imagen a los otros grupos que, hasta hace poco, han sido mucho menos conocidos en el resto del mundo. Las ONGs occidentales de derechos indígenas que trabajan con pueblos indígenas (en particular Dorothy Jackson del Programa para los Pueblos de los Bosques y Jerome Lewis que trabaja con FPP, IWGIA y MRG) han enfocado cada vez más los sufrimientos de los –hasta hace poco- menos conocidos grupos de *"pigmeos" batwa* en Ruanda, Burundi, RDC oriental y sudoeste de Uganda y también en el futuro de los *bakola* del sudoeste de Camerún. Los recientes disturbios políticos y la guerra civil en la región han tenido un impacto especialmente severo sobre los batwa de Ruanda, Burundi y RDC oriental y en el pequeñísimo grupo de *basua* (que suma quizá 65-70 personas) en el oeste de Uganda y han acelerado la continua marginación de estos grupos que son más bien antiguos que actuales cazadores-recolectores. La continua explotación maderera en el sudoeste de Camerún y la probable construcción del oleoducto Chad-Camerún pueden tener un impacto similarmente devastador sobre los *bakola* que habitan allí.

A la vez de tratar de brindar una imagen más amplia de quienes constituyen los pueblos de los bosques (o "pigmeos") de África Central, este artículo trata también de destacar que la situación de esos pueblos varía tremendamente en cada localidad. La cuestión no es simplemente "¿cómo podemos posibilitar que tales pueblos reclamen el espacio político para determinar su futuro?" La cuestión es también "¿cómo podemos alentar aquellos aspectos de sus relaciones locales que contemplen su futuro a largo plazo y cómo podemos nosotros ser alentados a contemplar nuestro futuro a largo plazo mediante una mejor comprensión de la situación de los pueblos del bosque de África Central?"

Hombres mbuti controlando las redes de caza. Foto: Robert Grantham

Los derechos indígenas en un contexto africano

¿Quién está hablando y para quién?

Parecería haber dos niveles en el proceso en marcha en relación con los pueblos del bosque centroafricanos. Por un lado, está el comienzo de la cooperación entre algunos de los grupos a nivel nacional e internacional, parcialmente facilitado mediante las actividades de las ONGs del Norte que tratan de apoyar a esos grupos para que puedan representarse a sí mismos y hacer demandas a nivel nacional e internacional. Por otro lado está la pregunta subyacente de ¿quién está alegando hablar por quién?

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1. *Participación de occidente:*
   A diferencia de la cuestión de los derechos indígenas y quién es indígena en América del Sur, por ejemplo, la situación de África es más compleja y, por lo tanto, se necesita un examen más complejo de la participación occidental. Por ejemplo: ¿está nuestro apoyo a los derechos de los pueblos del bosque centroafricanos basado en una noción de que son más verdaderamente "indígenas" que sus vecinos agricultores quienes, en muchos casos, han existido a su lado en el bosque hace tanto tiempo como los mismos cazadores-recolectores, está basado en un reconocimiento de que son un grupo extremadamente impotente y marginado o está basado en las presunciones que hacemos relativas al estatus actual o antiguo de los cazadores recolectores?

2. *Representación indígena:*
   Dada la existencia de un amplio igualitarismo entre los cazadores-recolectores centroafricanos y su falta de participación en las tomas de decisiones políticas, en relación a los vecinos agricultores o el gobierno local o nacional, ¿cómo pueden los pueblos del bosque establecer formas de representación que puedan reflejar sus intereses y permitirles reflejar por qué futuro quieren luchar? Para muchos grupos, su igualitarismo tradicional ha tendido a significar que aquellos que alegan hablar por un grupo de marginados son aquellos que menos representan al grupo.

Por lo tanto, no hay sólo una necesidad de crear el espacio político para apoyar a esos grupos para posibilitarles su participación o respuesta a la destrucción de su relación con el bosque, existe también una necesidad de apoyarlos para que puedan negociar desde una posición de igualdad con aquellos que los rodean. Ya sea con los vecinos agricultores con quienes ellos tradicionalmente han compartido relaciones de intercambio bastante igualitarias o han sido oprimidos por ellos, ya sea con aquellos a cargo de los parques nacionales, compañías madereras y gobierno local o nacional, o ya sea con aquellos que recientemente han ingresado a sus áreas.

El punto clave aquí es que existe una necesidad de comenzar a construir el puente desde ambos extremos. Por un lado, existe la urgente necesidad de llamar la atención internacional sobre las dificultades de esos pueblos y alentar la representación que existe para expresarse nacional e internacionalmente para crear un clima político en el cual sus derechos puedan ser reconocidos y respetados. Por otro lado, se requiere un proceso básico a largo plazo para apoyar a los pueblos del bosque a encontrar una forma de posibilitar su igualitarismo e inclusión tradicionales para ser expresada, en vez de ser derogada, mediante su participación en el diálogo nacional e internacional.

Es vital la creación del espacio político para que los pueblos del bosque recuperen el derecho a determinar su futuro, el futuro de sus bosques o ex áreas boscosas, así como apoyarlos para que puedan mantener o recuperar

Hombre mbuti. Foto: el autor

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una posición de igualdad en relación con sus vecinos de larga data o con los recién llegados. Por lo tanto, apoyarlos en tal forma en que puedan traducir su forma tradicional de igual e inclusiva toma de decisiones en la arena nacional e internacional, puede ser vital para la continuación de su identidad cultural. De la misma manera, al trabajar con ellos, se aprende a enfocar las tomas de decisiones en una forma igualitaria e inclusiva que puede probar ser tan importante para el resto de nosotros como la continuación de los bosques es para los pueblos del bosque.

¿Pueblos indígenas o minorías marginadas?

Las ONGs de derechos indígenas del norte parecen estar predispuestas a subrayar que el requisito clave para que un pueblo sea reconocido como "indígena" debería ser su autoidentificación como tal. Esta acción para convertir a la identificación como un requisito clave provino principalmente de los grupos indígenas emergentes en la escena internacional entre los años 1970 y 1990. Es un enfoque que rechaza el derecho a otros a definir quién es uno: después de todo ¿quién decidiría quién entra en esa definición, si no aquellas fuerzas poderosas contra las cuales los pueblos indígenas están luchando? Sin embargo, el apoyo de los derechos indígenas en un contexto africano es muy diferente al de América del Sur. La mayoría de la población que rodea y margina a los cazadores-recolectores centroafricanos también se autodefiniría como indígena en relación a los poderes coloniales "idos", así como estas poblaciones identifican a los pueblos del bosque en relación a ellos mismos. Para que el término tenga algún tipo de uso en un contexto africano, entonces la identificación de uno mismo u otros como indígenas tiene que ser considerada como descripción de una relación más que una categoría: una relación de pertenencia, ciertamente, y probablemente en una experiencia de ser dominado por aquellos que tienen más interés en extraer recursos de otros y de la tierra más que de mantener una relación sustentable dentro del entorno social y físico.

Por lo tanto, en lo relativo a los poderes coloniales o neocoloniales, todos los africanos son indígenas, pero en relación a sus vecinos, los cazadores-recolectores centroafricanos son considerados por sus vecinos como indígenas, como los pueblos originarios que realmente pertenecen al bosque y saben cómo aprovechar sus bendiciones. Mientras que, antes, sus vecinos agricultores confiaban en ellos para facilitar su relación con el bosque (ya sea a través del conocimiento o a través de rituales), hoy la creciente dominación del medio ambiente forestal está replicada en la dominación y marginación de los pueblos del bosque. Esta es una cuestión tanto de poder como de pertenencia. Apoyar los derechos indígenas y apoyar a los marginados en relación con aquellos que buscan beneficios mediante su desposesión entonces (al menos en lo que concierne a los pueblos del bosque) es también apoyar la habilidad de esos pueblos para relacionarse en una forma fluida, inclusiva y responsiva con los otros y con su medio ambiente, una forma de pertenencia que está basada en la igualdad en vez de la dominación.

Se podría considerar la misma cuestión desde un ángulo diferente: ¿por qué algunas ONGs del norte están interesadas en los derechos indígenas (en vez de colaborar con los mismos pueblos a través del trabajo de derechos humanos o combatir la pobreza y la desigualdad)? Por un lado, puede ser una forma estratégica de apoyar a los desposeídos, pero ¿no será también que nosotros también estamos buscando apoyo en relación a los procesos económicos, sociales y culturales que experimentamos como desposeimiento (una destrucción potencial de la tierra) y que parte de lo que nos impulsa al trabajo con pueblos que caracterizamos como "indígenas" es para volver a aprender el sentido de la pertenencia que está basado en una forma igualitaria más que instrumental de relacionarnos con otros y con el medio ambiente? Plantear esta cuestión no es plantear algún tipo de mundo idealizado cazador-recolector, sino más bien reconocer que lo que estamos tratando de posibilitar (para otros y nosotros) es una igualdad de pertenencia, no como fuente de amenaza y como base de una jerarquía o dominación, sino que reconozca la diferencia como un fortalecimiento potencial, como un proceso continuo de inclusión. Un reconocimiento de que estamos tratando de obtener apoyo de aquellos que estamos tratando de apoyar debería robustecer un diálogo de iguales donde podemos desafiar y aprender de las prácticas de cada uno, en vez de esconderse detrás de incontables nociones de autodefinición o categorías estáticas de quién es y quien no es indígena. Si queremos desarrollar un robusto, desafiante y sustentable diálogo entre todos aquellos concernidos por estos temas –incluyendo a los cazadores-recolectores y sus vecinos, los estados africanos y los organismos internacionales, ONGs del norte y emergentes cooperaciones indígenas africanas- comprender el término "indígena" como una cualidad en vez de una categoría, puede ser la única forma de diferenciar entre motivos e intenciones en un proceso de ecualización de pertenencia y aquellos basados en marginar y dominar a otros.

¿"Pigmeos" o pueblos del bosque?

La forma en que este artículo comprende a pueblos que tienen muchas lenguas diferentes y que viven a miles de millas de distancia plantea otra cuestión. Algunos de estos pueblos usan el término "pigmeos" para autocalificarse, sin embargo, la mayoría usan nombres que reflejan su propia lengua compartida y el área forestal y

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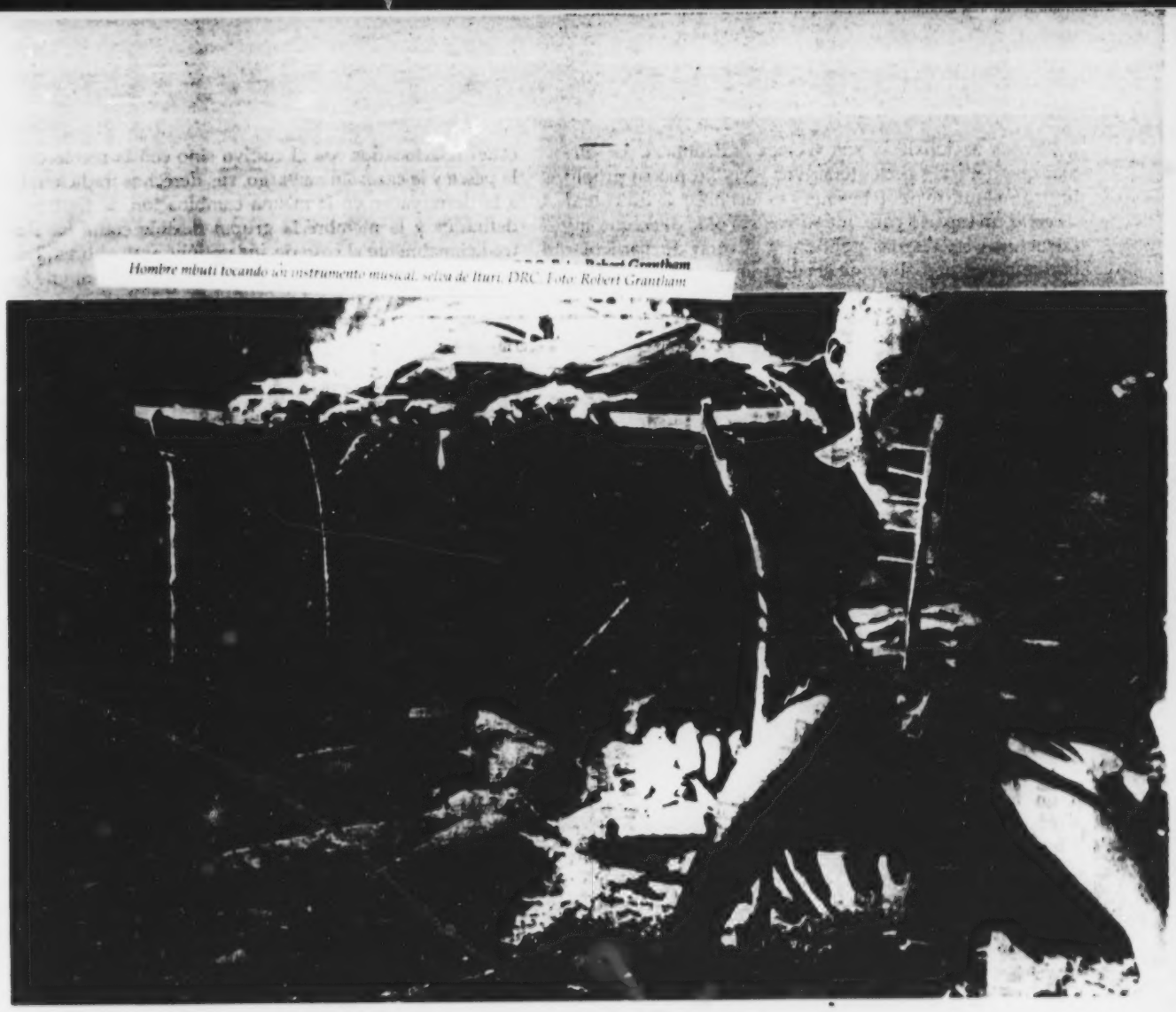


Hombre mbuti tocando un instrumento musical, selva de Ituri, DRC. Foto: Robert Grantham

oyen la palabra "pigmeo" gritada hacia ellos como un insulto por otros. Además, probablemente todos los cazadores-recolectores centroafricanos usan el término "pueblos del bosque" como forma de describirse y describir a otros cazadores-recolectores del bosque que ellos conocen, en contraste con lo que ellos describen como "pueblos de la ciudad" o agricultores [2]. Sólo el tiempo dirá si el uso del término "pigmeos" desaparecerá en la medida en que sus situaciones individuales sean reconocidas o si parte del proceso de fortalecimiento incluirá la aserción de una identidad común como pueblos del bosque e incluso, posiblemente, el uso del término "pigmeos" como una forma de afirmación de lo que era despreciado debe ser respetado. Algunos de aquellos que están siendo conscientes del contexto internacional están ciertamente describiéndose como "pigmeos" por esta razón. El término "pueblos del bosque" es igualmente difícil. Parece definir a los pueblos de acuerdo a su entorno y sugerir que si el bosque es destruido, o si esos pueblos ya no viven en el bosque, entonces, de alguna manera no son más "pueblos del bosque", que tienen una identidad degradada. Es obvio que las denominaciones tienen un significado político, y describir a estos pueblos como "pueblos del bosque" contiene una intención política.

La intención aquí es aseverar que estos pueblos tienen derecho a su estilo de vida –más allá de cómo ellos lo definan- y a decidir lo que sucede con su medio ambiente, derecho que las compañías internacionales, gobiernos nacionales y sus vecinos más poderosos deberían respetar. Aunque decidan cultivar o trabajar para las compañías madereras, eso debería ser su opción, no la única opción que tienen cuando su bosque es destruido. Tomar como nuestro punto inicial el conocimiento íntimo que estos pueblos tienen de su medio ambiente forestal y su identificación con el bosque no es negarles el derecho a otros contextos, ni negar que sus vecinos agricultores también pueden tener tal conocimiento y tener un derecho igual a determinar el futuro de su bosque; es reconocer que estos cazadores-recolectores están en una posición políticamente débil en relación con las multinacionales, los

gobiernos nacionales y sus vecinos agricultores. Es afirmar que deberían poder tener voz y voto sobre su propio futuro y el futuro de su bosque y es reconocer la dificultad de crear un espacio para que su voz sea oída dado que sus estructuras igualitarias políticas y el contexto particular hacen menos probable que encuentren el lugar o la razón para expresar su opinión sobre su futuro en contextos nacionales o internacionales.

Situación de los pueblos del bosque que viven en el bosque

Antecedentes

Poblaciones

En grados variables grupos tales como los mbuti (frecuentemente llamados *bambuti*) y efe, los aka (*Ba-aka*) los baka y los bakola siguen siendo cazadores-recolectores. Se piensa que los mbuti y los efe del Bosque de Ituri, RDC; suman una cantidad entre 35-40.000 personas, los aka del norte del Congo (incluyendo a los *mbendjelle*) y al sur de la República Centroafricana entre 25-30.000 individuos; los baka del sudeste de Camerún entre 35-50.000 personas, y los bakola al sudoeste de Camerún entre 3.000 y 4.000 personas. Aunque hay una tremenda variación dentro de cada grupo (con ciertos sectores en su mayoría sedentarizados y dedicados a la agricultura, muchos trabajando durante períodos cortos o largos para extranjeros como las compañías madereras, comerciantes de carne y conservacionistas) la mayoría de estos pueblos pasan períodos del año trasladándose a través del bosque entre campamentos de caza y parte del año viviendo cerca de los vecinos agricultores y trabajando en sus campos.

Historia

Cuando los agricultores y pescadores bantú se trasladaron al bosque desde Camerún Central, desde el año 5.000 AC en adelante, los ancestros de los cazadores-recolectores de hoy intercambiaban productos forestales con los agricultores a cambio de artefactos de hierro y cerámica y también productos agrícolas. Esto evolucionó en un sistema de intercambio económico y cultural que continúa hasta hoy: en algunos lugares más en forma de relaciones de intercambio libre y en otras más en la forma de dominación de los agricultores. El punto clave para reconocer es que aunque estos cazadores-recolectores se consideran (y son considerados por sus vecinos) como los habitantes originales del bosque, ellos nunca han probablemente vivido una existencia aislada y continúan aprovechándose de las oportunidades ofrecidas mediante las relaciones de intercambio con otros: ya sean las tradicionales relaciones de intercambio con agricultores, o los intentos más recientes de beneficiarse de otros intrusos.

El sistema tradicional de propiedad de los cazadores-recolectores difiere del de los pueblos agricultores en la medida en que sus derechos corporativos a la tierra no están relacionados con el cultivo sino con la recolección, la pesca y la caza; sin embargo, sus derechos tradicionales a la tierra yacen en la misma combinación de territorios definidos y la membrecía grupal flexible como ha sido tradicionalmente el caso de sus vecinos agricultores. Tanto los derechos a la tierra de los agricultores como de los cazadores-recolectores han sido generalmente descartados por los estados centroafricanos que han declarado que toda la tierra forestal es propiedad del estado. No obstante, los derechos de los cazadores recolectores son doblemente ignorados ya, que según la visión de las autoridades estatales, la tierra que no está cultivada es frecuentemente considerada como tierra vacante porque no es considerada como usada apropiadamente o continuamente de ninguna forma que justificaría o legitimaría una reivindicación territorial. En esto, y en la concesión de grandes áreas boscosas para concesiones territoriales u organismos conservacionistas, continúan la política de sus predecesores coloniales que convirtieron al bosque en enormes concesiones controladas por los europeos, ya sea para recoger caucho, marfil o pieles. Además estaban los impuestos obligados por los poderes coloniales sobre la población, forzándolos a trabajar para las concesiones a fin de poder pagar los impuestos, resultando en la miseria, el empobrecimiento y generalmente el hambre, pues la gente tenía menos y menos tiempo para trabajar en sus propios campos. Mientras que los agricultores disfrutaban las relaciones de intercambio con los cazadores-recolectores, los agricultores trataban siempre de controlar la fuerza de trabajo de los cazadores-recolectores para cumplir con sus impuestos conduciendo a una inevitable dominación jerárquica en su relación incluso cuando podría antes haber sido más fluida e igual. Al mismo tiempo, los agricultores fueron forzados a trasladarse fuera del bosque y asentarse a lo largo de los caminos coloniales, su interacción cotidiana con el bosque y con los cazadores-recolectores en el contexto anterior fue drásticamente reducida.

Relaciones sociales/ambientales

Donde el bosque no está destruido y donde los cazadores-recolectores, en diversos grados, mantienen relaciones de intercambio tradicionales con sus vecinos agricultores, los baka, los aka, los efe y los mbuti pasan prolongados períodos de tiempo en el bosque. Ellos perciben su medio ambiente como abundante y benevolente, y estudios recientes han demostrado que se encuentran nutricionalmente en mejores condiciones que la mayoría de los otros pueblos del África Sub-Sahariana (Hewlett 1991:11-12). Viven en grupos de entre 15 y 60 personas, cazando, recolectando alimentos vegetales y recolectando miel. Todo lo que les pertenece tiene que ser transportado cuando se trasladan a otro campamento de caza, por lo que hay una considerable ventaja en tener pocas posesiones. Lo que tienen en abundancia es un conocimiento íntimo del bosque: la habilidad de leer los rastros de los animales, conocer los ciclos de florecimiento y producción

de frutos de las plantas, ubicar una colmena mediante el vuelo de una abeja. Conocen las propiedades individuales de miles de plantas y pueden usarlas para comer, hacer veneno, calmar el dolor, sanar las heridas y curar la fiebre. Invariablemente estos cazadores-recolectores pasan mucho tiempo cerca de una aldea, donde trabajan en los huertos de los aldeanos. La mayoría de ellos se dedican a rituales que implican la aserción de su relación con el bosque y con los espíritus del bosque. La canción es central en estos rituales y puede durar toda la noche con la intención de establecer un estado mental apacible en todos, estableciendo la cooperación entre todo el campamento y mejorando la caza mediante el restablecimiento de una buena relación con el bosque.

Se ha argumentado que sus vecinos agricultores poseen frecuentemente también un conocimiento íntimo del medio ambiente forestal y (ciertamente entre los *bila* pescadores-agricultores asociados con los mbuti en el Ituri,[Kenrick 1996a]) la distinción entre los agricultores que tratan de limpiar el bosque y los cazadores-recolectores que pueden experimentar el bosque como un socio con quien compartir es más fluida que lo que se puede suponer. Muchos hombres bila, algunos casados con mujeres mbuti, pasan prolongados períodos de tiempo en los campamentos de caza mbuti y prefieren claramente la vida forestal; igualmente algunos mbuti se acostumbraron a la vida aldeana e intentan (generalmente infructuosamente) retirarse de los procesos de ecualización del repartimiento. El principio de la demanda compartida subyace en el sistema de retorno inmediato de los cazadores-recolectores centroafricanos en el cual la propiedad no puede ser acumulada sino en cambio lo que se encuentra es mayormente consumido inmediatamente y cualquier excedente de pertenencias o alimentos puede ser demandado por aquellos que tienen menos.

Las dificultades actuales

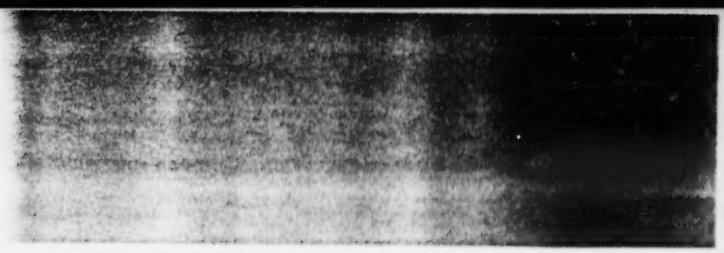
El bosque provee la base de recursos ambientales, económicos y políticos que les otorga espacio de maniobra, permitiéndoles negociar con otros y, en gran medida, determinar su propio futuro. La amenaza inmediata que se cierne sobre ellos proviene de la destrucción del bosque y, así, la destrucción de su relación con éste. Después de examinar primariamente las dificultades que tienen los diferentes pueblos que hemos analizado, la sección final de este artículo examinará las dificultades de los pueblos del bosque cuyo bosque ha sido destruido y que han sido excluidos del mismo.

Mbuti (o bambuti) y efe del bosque Ituri, RDC

En el bosque Ituri, la destrucción forestal es, en gran medida el resultado de la afluencia de inmigrantes que limpian grandes áreas forestales para cultivar, frecuentemente para intercambiar por oro de los tamizadores de oro. Allí donde las comunidades tradicionales agrícolas se han dedicado a los cultivos rotativos, trasladando su aldea más o menos cada diez años para retornar a los campos rejuvenecidos de un antiguo sitio aldeano y "gozar de sus ancestros", allí los agricultores inmigrantes limpian campos mucho más grandes y tratan de establecer la conversión permanente del bosque. Mientras que los agricultores rotativos dependen económica y culturalmente de su relación con el bosque y se comprometen en relaciones a largo plazo con los cazadores-recolectores, los agricultores inmigrantes desdeñan esas relaciones y tienden a ser extractores de corto plazo de oro y cultivos comerciales, que buscan por su seguridad a largo plazo en sus redes basadas en el parentesco que todavía están centradas en áreas fuera de las áreas forestales a las cuales esperan retornar algún día.

La presión sobre el Ituri por el flujo de personas de las áreas vecinas ha sido en gran medida el resultado de la concentración de la tierra en manos de los poderosos en Kivu, la región que bordea el Bosque Ituri en la RDC, desde donde provienen los *nande* (que constituyen la mayoría de los inmigrantes). Cualquier intento de aliviar la presión sobre los mbuti, los efe y sus vecinos agricultores en el Ituri debe necesariamente contemplar la intención de asegurar los derechos a la tierra en Kivu, un área donde, hasta recientemente, una combinación de demandas occidentales de cultivos comerciales y el apoyo occidental al régimen de Mobutu contribuyó al poder de la minoría para expulsar a los menos poderosos de sus tierras. Durante los últimos pocos años Kivu y la parte oriental de lo que ahora se llama la "Región Ituri", ha estado en un estado intermitente de guerra y la situación de los mbuti y de los efe en la parte occidental de la "Región Ituri" no es clara. Los informes sugieren que los mbuti y los efe (y muchos aldeanos) tienen el mismo curso de acción que tomaron durante la guerra civil de los años 60 y durante los primeros tiempos del colonialismo y las cacerías de esclavos, lo cual es permanecer en lo profundo del bosque durante largos períodos. Parecería que el Ituri ha probablemente escapado a lo peor del conflicto que ha sido descrito como que tiene lugar entre los pueblos *hema* y *lendu* al este del bosque.

En mayo de 1992 se creó una Reserva Forestal de 13.000 kilómetros cuadrados en el Ituri, en un área donde viven aproximadamente 28.000 aldeanos y quizá 10.000 mbuti y efe. La reserva tiene el potencial de cumplir con su principal estrategia de apoyar relaciones sustentables a largo plazo de los pueblos locales con el bosque y mutuamente, y ayudar a detener el impacto destructivo de las fuerzas extractivas externas. Sin embargo, es posible que dado el énfasis de la conservación de la biodiversidad en restringir la participación de los pueblos locales en su medio ambiente, es más probable que el proceso de conservación margine a los pueblos locales y sea considerado por ellos como un agente de extracción externo en sí mismo. Como destacó un agricultor pescador: *"Desde que [los conservacionistas] han tomado nuestros bosques en vez de recibir las buenas cosas del bosque, no recibimos nada"*. En el



contexto del financiamiento potencial de la Comisión de Medio Ambiente Global,(que trata de encarar las "amenazas a la conservación de la biodiversidad") y de la UNESCO, (que considera a esas áreas como "sitios de patrimonio mundial"), en vez de apoyar y dar más fuerzas al fortalecimiento de los pueblos locales a largo plazo con su medio ambiente, tales iniciativas conservacionistas pueden fácilmente continuar apropiándose de los bienes comunes en vez de apoyar y fortalecer las relaciones a largo plazo entre los pueblos locales con sus entornos.

Los baka del sudeste de Camerún

La rápida destrucción del bosque aquí ha sido principalmente el resultado de las compañías madereras occidentales y cada vez más de las asiáticas. El impacto de actividades como la explotación maderera, y el flujo de agricultores pobres al bosque, pueden ser factores estrechamente relacionados: tales concesiones actúan frecuentemente como imanes, atrayendo a la gente al bosque, quienes luego encuentran los magros salarios demasiado bajos para subsistir y entonces tienen que elegir entre retornar a sus regiones de origen o dedicarse a la agricultura rotativa.

El sistema de seguridad social baka, de tener que compartir cualquier exceso visible, funciona bien en el mundo de hoy, usufructuando el bosque trabajando con sus vecinos agricultores. Sin embargo, se quebranta dentro de la economía laboral de las concesiones madereras y entre la acumulación y planificación necesarias en la agricultura. Cuando los baka ya no tienen acceso fácil al bosque -que es tanto su base independiente de recursos como el contexto para la creencia espiritual que sustenta su economía de repartición- se ven marginados en el estilo de vida en que se encuentran y los expertos se ponen en conflicto con sus vecinos. Como consecuencia, muchos intentan poner en uso lo que resta de su pericia en el trabajo con los madereros, los cazadores de safari y los comerciantes de carne. Entonces las presiones subyacentes de la apropiación de recursos y la destrucción forestal gradualmente quitan el recurso económico y experimental que provee la base de su flexibilidad e inclusión. Sus esfuerzos para convertirse en agricultores y los esfuerzos de capacitarlos en la agricultura, pueden componer este proceso. Como la mayoría de los mbuti, aka y bakola, los baka fueron forzados a asentarse a lo largo de los caminos en los años 60, pero mientras que la mayoría de los otros se han retirado a alguna distancia dentro del bosque, la intensa actividad de los misioneros y ONGs del norte que intentan ayudar a los baka a ser independientes ayudándolos a volcarse a la agricultura, ha significado que en algunos lugares muchos baka permanecen centrados en una existencia a lo largo de los caminos.

Cuando se creó la reserva Dja de 5.000 kilómetros cuadrados, el control del uso de la tierra cambió de los 2.000 baka y 3.000 aldeanos que vivían dentro de la misma y las 30.000 personas que vivían en su perímetro y pasó a manos de los conservacionistas. Similarmente, con la creación de un parque nacional en el área de Lake Lobeke en el lejano sudeste, es improbable que el gobierno de Camerún acuerde la creación de áreas forestales comunitarias que los baka y los aldeanos podrían controlar. Mientras que muchos conservacionistas reconocen la necesidad de consulta y control comunitarios de tales proyectos, parecería difícil de convencer a partes suficientemente poderosas, probablemente porque el mismo concepto de la conservación trata de restringir la participación del pueblo en su medio ambiente local en vez de apoyar su participación en su compromiso a largo plazo con la comunidad.

Los aka del norte del Congo y sur de la RCA

Como con los baka, la rápida destrucción de las áreas forestales aka ha sido en gran medida el resultado de las actividades de las compañías madereras occidentales y asiáticas. En la RCA el 90 por ciento del área forestal fuera de los parques fue ya adjudicada en 1991 y en el norte del Congo toda la región ha sido adjudicada y ha habido una gran construcción de caminos madereros. Además de todo esto se ha creado el Parque Nacional Dzanga-Sangha de 4.500 kilómetros cuadrados en el sudoeste de la RCA y se ha creado al Parque Nouabale-Ndoki a través de la frontera en el norte del Congo.

En el norte del Congo, los aka (o mbendjelle) constituyen la mayoría fuera de los poblados con los aka del sur de la RCA, la mayoría de los grupos pasan entre 4 y 8 meses en campamentos en el bosque profundo y el resto cerca de las aldeas de agricultores. En la RCA y el Congo, muchos aka se dedican a empleos de corto plazo para comerciantes de carne, madereros y plantaciones. Esta forma de trabajo, combinada con los esfuerzos misioneros, significa que en algunas áreas los aka se han sedentarizado, entrando al bosque diariamente en vez de moverse a través del mismo durante semanas. En otras áreas, a los aka se les ha ofrecido oportunidades de empleos de corto plazo para debilitar sus vínculos con los aldeanos quienes (al menos desde el impacto del tráfico de esclavos y la época colonial) han sido generalmente muy explotadores de los aka (ver Colchester 1993).

Los bakola (bagyeli) del sudoeste de Camerún

Los bakola del sudoeste de Camerún establecen pequeñas parcelas agrícolas a distancia considerable de los caminos transitables, mientras que todavía dependen de la caza (Biesbrouck et al. 1999). Generalmente abandonan

los campos durante 2 a 6 meses del año para permanecer en campamentos de caza y tienen una alta reputación entre sus vecinos como médicos que utilizan hierbas medicinales. La explotación maderera, la conservación y un posible oleoducto se combinan para amenazar su continua dependencia del bosque.

Las concesiones madereras se han introducido profundamente en sus bosques tradicionales y muchos trabajan para los madereros que no sólo destruyen su bosque sino su cohesión social. Otra alteración potencial de las relaciones forestales de los bakola es la Reserva Forestal Campo (originalmente creada en 1932 que limita con Guinea Ecuatorial y recibirá financiación del GEF. Sin embargo, probablemente la más drástica alteración de la vida de los bakola es el oleoducto con el pasaje del Oleoducto Chad-Camerún que pasará a través de su bosque hasta el puerto costero de Kribi. Esto implicaría no sólo una alteración ambiental sino también el ingreso de trabajadores migrantes para limpiar el bosque y construir el oleoducto. Ha habido muy poca consulta significativa con los bakola, las consecuencias serían drásticas y habría ciertamente muy poca recompensa para los bakola ya que carecen de seguridad de la tierra según la ley de Camerún.

Apoyo a los pueblos del bosque

La situación bakola representa de alguna manera un típico ejemplo de la alteración causada a la vida de los pueblos del bosque. Su situación refleja la de los baka y aka en términos de la alteración causada por la explotación forestal en Camerún, Congo y RCA. Refleja la de los mbuti y los efe del Bosque Ituri, RDC, los mbendjelle (aka) del Bosque Ndoki, Congo y la de los aka del Bosque Lobaye, RCA, en que la creación de reservas forestales puede alterar aun más su relación con los bosques. A diferencia de estos otros grupos, pero similarmente a algunos de los grupos batwa que se analizará más abajo, algunos bakola comenzaron una organización indígena CODEBABIK (Comité de développement des Bakola/Bagyeli des arrondissements de Bipindi et Kribi) en 1996 y ya han enviado un representante al Grupo de Trabajo de la ONU sobre Poblaciones Indígenas.

Los mbuti, efe, baka, aka, bakola y otros pueblos del bosque de África Central necesitan aliados para proteger su bosque y su derecho a decidir su propio futuro. El hecho de que han mantenido relaciones dinámicas y cambiantes con sus vecinos agricultores durante siglos demuestra claramente que la integridad cultural no puede basarse sólo en el aislamiento sino en la interdependencia. Para apoyar los derechos de esos

Ausa, un niño mbuti de 12 años, en la selva de Ituri, RDC. Foto: el autor

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pueblos a sus propias opciones sobre cómo conformar su futuro se requiere no solamente que los ayudemos a proteger su bosque de la destrucción, sino que también los ayudemos a proteger su relación con sus vecinos del control externo - ya sea de una administración extractiva, compañías madereras, la afluencia de agricultores desposeídos en otros lugares o regulaciones conservacionistas inapropiadas.

La gente en occidente ha sido motivada sin dificultad para apoyar a los grupos indígenas en los bosques de la Amazonía. La inhabilidad de los occidentales para responder a la situación de los pueblos forestales de África Central ha sido en parte porque los cazadores-recolectores de África Central no están buscando refugio en sus propias reservas aisladas, sino buscando la protección de sus bosques y su contexto autónomo dentro de relaciones prolongadas con sus vecinos agricultores. Esto contradice totalmente la presunción occidental con respecto a los pueblos indígenas. En una visión occidental que los ven como eternos cazadores-recolectores existentes en un mundo separado, son considerados como viviendo en un estado de gracia que inevitablemente desaparecerá si entran en contacto con occidente. La otra visión occidental presume que los cazadores-recolectores como los baka son un grupo marginado cuya cultura se ha fragmentado enormemente, cuyas actividades económicas amenazan su medio ambiente y que necesitan de oportunidades de desarrollo para llevarlos a un nivel material razonable de seguridad para desviarlos de su actual involucramiento destructivo con el bosque. Reconocer que estos pueblos tienen el derecho a la integridad cultural y que siempre han existido en relación con otros sería un importante paso adelante hacia la comprensión de su situación. Significaría no seguir construyendo un muro en torno a estos pueblos sino, en cambio, tratar de apoyar sus relaciones con el bosque y con sus vecinos agricultores.

Esto requiere que sus derechos a la tierra y a la autonomía política sean reconocidos tanto nacional como internacionalmente. Establecer tales derecho depende del grado en que podamos apoyarlos para mantener el espacio físico y político en el cual puedan decidir su propio futuro. Es en este contexto que las ONGs del norte y las ONGs de Pueblos del Bosque de África Central están comenzando a colaborar. Hasta ahora las ONGs de Pueblos del Bosque han surgido en contextos como Ruanda donde los pueblos que están representando han sido los más marginados del bosque. Apoyando el surgimiento de tales ONGs entre los pueblos del bosque como los mbuti, aka y baka que todavía están centrados en una existencia forestal y toda la fluidez, igualdad y falta de confianza en la dirección que implica ese estilo de vida puede ser un proceso a largo plazo, pero un proceso que es desesperadamente necesario si los pueblos del bosque de África Central van a continuar modelando su relación con el bosque, con sus vecinos y entre ellos.

Pueblos del bosque marginados del bosque [3]

De los estimados 70-87.000 batwa de la región de los grandes lagos, probablemente menos de 7.000 tienen un acceso directo y regular al bosque el día de hoy. Los batwa basados en el bosque se refieren a ellos mismos como *impunyu*. Un segundo grupo de batwa de la región son los pueblos pescadores que viven mayormente en las costas del Lago Kivu. No es probable que sumen más de 3.000 y están hoy impedidos de pescar abiertamente porque no tienen licencias de pesca. El tercer y mayor grupo entre 60-76.000 batwa son referidos como "alfareros"; para este último grupo el bosque ha sido destruido hace largo tiempo y su sentimiento de identidad está centrado en su ocupación como alfareros en vez de su identificación como pueblos del bosque. Además de estos 60-76.000 batwa en la región de los grandes lagos existen hasta 100.000 batwa (o batua) más al oeste de la RD del Congo, cuyos bosques han sido destruidos casi totalmente y son ahora dependientes de sus vecinos para su magra subsistencia.

Excluidos del bosque: batwa (*twa*) de Ruanda, Burundi, RDC y Uganda

Los batwa forestales en Ruanda

Los grupos batwa basados en el bosque son tradicionalmente seminómadas: cazando y comerciando productos forestales y dedicándose a corto plazo en trabajos agrícolas. Muchos que ya no tienen acceso al bosque, permanecen en granjas que se han apoderado de sus tierras tradicionales, donde son frecuentemente descritos como intrusos a pesar de que la tierra ha sido siempre de ellos. Otras áreas, antiguamente habitadas por ellos, han sido apropiadas por proyectos de conservación y los administradores forestales consideran frecuentemente el acceso al bosque como ilegal, a pesar del hecho de que han vivido y dependido de estos bosques antes de que los agricultores y pastores y los programas conservacionistas llegaran a la región. Como resultado la mayoría "vive ahora en los bordes del bosque y áreas agrícolas pero usan el bosque en forma diaria" (Lewis 2000: 13). En Ruanda esto sucede fundamentalmente en el norte en las áreas que bordean el bosque Gishwati y cerca del Parc des Volcans, y en el bosque Nyunwe en el sur. No ha habido ninguna consideración efectiva de las necesidades de los batwa en la creación de estos parques y áreas de reserva forestal.

Los batwa de base forestal en Kivu, RDC

Los batwa del bosque viven en muchas áreas de la provincia de Kivu, RDC, especialmente en torno al Parque Nacional Kahuzi-Biega. Entre los fines de los 60 y mitad de los 70, los aproximadamente 3.000 batwa que vivían dentro del Parque Nacional Kahuzi-Biega en Kivu, RDC, fueron expulsados y

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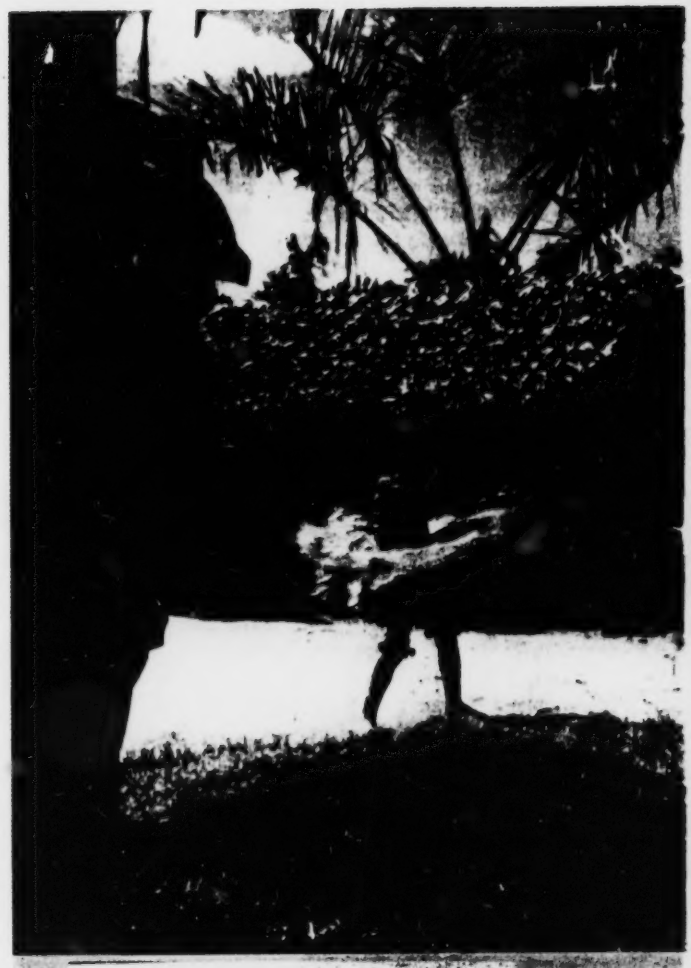
luego recibieron tratamientos brutales al ser acusados de cazar en él. Como consecuencia su estilo de vida y sus medios de subsistencia fueron destruidos y no se tomó ninguna previsión para ayudarlos[4].

Como en Ruanda y Burundi, los batwa de Kivu en RDC son particularmente vulnerables en tiempos de violencia porque frecuentemente viven en áreas remotas donde se esconden grupos armados. La mayoría de los batwa de aquí han huido de sus aldeas, y son atrapados indefensos entre diferentes grupos armados o son forzados a actuar como guías y rastreadores para un grupo y luego reciben la venganza de otro grupo por hacerlo.

Los batwa de base forestal en el sudoeste de Uganda

Los bosques Bwindi, Mgahinga y Echuya en el sudoeste de Uganda fueron catalogados como reservas forestales por los británicos en los años 30. Esto los protegió efectivamente de ser destruidos por los agricultores que se habían trasladado al área previamente habitada sólo por los batwa, mientras que éstos continuaban usándolos (los batwa aquí son frecuentemente referidos como *abayanda*). Desde que Bwindi y Mgahinga se convirtieron en parques nacionales en 1991, se ha implementado la exclusión batwa y entonces su papel basado en el bosque en la economía local ha sido completamente destruido. Algunos batwa recibieron compensación, la mayoría no recibió nada. Mientras tanto, los agricultores recibieron la mayor parte de la compensación disponible, porque habían sido los que convirtieron al bosque en tierras agrícolas y, al destruirlo, fueron entonces reconocidos como tenedores de derechos a la tierra. Gran parte de la financiación provino del Banco Mundial a través de la Comisión de Medio Ambiente Global. Las políticas del Banco Mundial requieren previa consulta, evaluación y mitigación del impacto de tales proyectos sobre los pueblos indígenas. Sólo después de la expulsión se hicieron esfuerzos por parte de los responsables de los parques para ayudar a los batwa expulsados, pero esto ha sido opuesto por los agricultores alegando que sería favoritismo (en vez de reconocer la total dependencia batwa de su base de recursos forestales y su extrema marginación y pobreza). A diferencia de sus vecinos, el empobrecimiento de los batwa y la falta de educación han significado que no han sido capaces de formar las asociaciones y comités requeridos para asegurar el acceso legal a los recursos forestales y para recibir una parte proporcional del dinero generado por el turismo. Los batwa son acusado de cazar gorilas, a pesar del hecho de que ningún grupo batwa conocido come gorilas. Su acceso al bosque para la subsistencia y razones religiosas es ilegal y riesgoso para ellos, sólo dos batwa están empleados en los parques, y mientras tanto pocos han recibido tierras. Los proyectos de desarrollo comunitarios están financiados por un fondo establecido en el Banco Mundial por el gobierno holandés. A pesar de las presiones de los holandeses, el componente batwa ha



El espíritu Mangaluama en el Nkumbi. Foto: el autor

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sido muy lento en materializarse y la situación única de los batwa ha sido continuamente negada o despreciada.

Batwa cuyos bosques han sido destruidos: los batwa de Ruanda, Burundi y RDC

Los batwa de Ruanda

La vasta mayoría de los batwa (entre 20-25.000) son referidos como "alfareros" y se han adaptado a la colonización de los agricultores y pastores y la destrucción de sus bosques trabajando como artesanos viajantes, trabajadores y alfareros. Como los inmigrantes ya no necesitan las prácticas y rituales batwa para que les ayuden a ganar acceso a los bosques, los batwa perdieron la autonomía que el bosque brinda y aumentó la discriminación y explotación. La alfarería se convirtió en la única fuente segura de ingresos. La alfarería en vez del bosque se convirtió en el símbolo de la identidad batwa. Hacia los años 70 los substitutos industriales comenzaron a inundar el mercado, la alfarería se convirtió en no rentable pero la venta de cerámica permitió a los denigrados y despreciados batwa a conversar con los no-batwa lo cual puede resultar en oportunidades de trabajo o regalos. Combinado con esto, los agricultores comenzaron a reclamar ciénagas de arcilla para sus cultivos, reduciendo a muchos alfareros a una dependencia de mendigar trabajos diarios ocasionales..

Las organizaciones indígenas batwa de Ruanda están tratando de apoyar a los alfareros, pero han tendido a enfocarse en lo que ven como la inmediata necesidad de apoyo, modernizar y comercializar la alfarería en vez de restaurar los derechos a la tierra y el acceso a sus bosques y antiguas tierras forestales.

Impacto de las guerras recientes

Los batwa han sido apresados en guerras entre otros grupos durante generaciones, sin embargo, en los años recientes los conflictos se han intensificado y los marginados e impotentes batwa ruandeses sufrieron desproporcionadamente:

> *"Durante tres meses después del 6 de abril de 1994, las masacres colectivas de los extremistas bahutu resultaron en la muerte de casi un millón de personas, mayormente batutsi, ruandanos. Esto representa un 14 por ciento de la población de Ruanda. Los batwa sólo constituyen entre 0,3 y 0,4 de la población total y no tienen interés, o impacto en la política, sin embargo, se estima que un 30 por ciento de los batwa de Ruanda murieron o fueron matados como consecuencia del genocidio y de la consiguiente guerra" (Lewis 2000:62).*

Los batwa han sufrido a manos de los extremistas *interhamwe bahutu* durante el genocidio, durante el cual muchos intentaron huir y luego han sufrido a manos de las autoridades batutsi que han encarcelado a la mayoría de los hombres batwa retornados acusándolos de complicidad en las matanzas. Ciertamente, algunos batwa deben haberse visto involucrados en las matanzas como cualquier otro, ya que la no participación significaría frecuentemente la muerte, pero el desproporcionado porcentaje de muertes batwa no señala su complicidad sino su persecución. Con la muerte, desaparición y ahora encarcelamiento de los hombres batwa, las redes de apoyo y las familias se han quebrantado, dejando a mujeres y niños en la pobreza quienes están desesperadamente luchando por sobrevivir para tener tiempo de crear las asociaciones requeridas para registrar y recibir asistencia de las ONGs. La política gubernamental en contra de identificar a la gente étnicamente no encara las necesidades particulares y la discriminación experimentada por los batwa.

Los batwa de Burundi

Como en Ruanda, los batwa de Burundi también experimentan una discriminación extrema. "Los bahutu o batutsi no pueden entrar en una choza batwa, compartir alimentos y bebidas, o incluso sentarse y conversar con los batwa por temor de caer en el ostracismo por su propia comunidad. El proverbio de Burundi ilustra la regla: *"Si te proteges de la lluvia en una choza batwa, entonces permanece allí"*. (Lewis 2000: 70-71). La gran mayoría de los batwa de Burundi son trabajadores sin tierra que sufren una discriminación extrema y han sido atrapados en los menos intensos pero prolongados ciclos de violencia entre los bahutu y los batutsi en Burundi.

Los batwa del Congo

Hay muchos grupos dispersos de batwa en esta región que son ahora totalmente dependientes de sus vecinos para su magra subsistencia Su cantidad total es el Congo es de aproximadamente 100.000. Los batwa de Mbandaka y Equateur, son un buen ejemplo de lo que los batwa están experimentando.

En Mbandaka y Equateur tanto los batwa como sus vecinos agricultores han sido en el pasado explotados por las plantaciones de palma oleaginosa de Lever Brothers y la caza ha sido exterminada en los bosques de estas áreas. Como resultado de ambos procesos los 4.000 batwa, aproximadamente, están dominados por los aldeanos tanto económica como ritualmente. Los batwa tienen que trabajar en los campos de los aldeanos en los mismos tiempos del año en que deberían estar plantando o cosechando sus propios campos. Como resultado de esto, se han constituido relaciones de deuda ya que los batwa tienen que pedir prestado alimentos para sobrevivir y luego son obligados a trabajar los campos aldeanos cuando se les solicita, quedando así como una fácil fuerza de trabajo barata para los aldeanos.

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Organizaciones indígenas batwa

En 1991 fue formada la APB (Association pour la Promotion Batwa de Ruanda) y catalizó la formación de otros grupos batwa (Jackson 1999: 289). Estas organizaciones batwa originales se reconstituyeron después de la guerra civil en Ruanda bajo una organización unitaria de los batwa CAURWA (Communauté des Autochtones Rwandais) quienes ahora están tratando de ayudar a los batwa en la vecina Uganda para comenzar organizaciones indígenas y se están vinculando con PIDP-Kivu (Programme d'Intégration et de Dévelòppment du Peuple Pygmée au Kivu) en la RDC. Con el apoyo de ONGs del norte como FPP, MRG e IWGIA estas organizaciones se están vinculando con otros batwa, con la organización indígena CODEBABIK bakola/bagyeli en Camerún y con el movimiento por los derechos indígenas, en forma más general.

Conclusión

Este artículo ha tratado de brindar una amplia perspectiva de tres áreas diferentes. En la primera parte, trató de examinar cómo se puede movilizar el término "indígena" para construir los puentes necesarios para permitir a los cazadores-recolectores y ex cazadores-recolectores de los bosques tropicales del África Central retener o reclamar el espacio político, económico y cultural para decidir su propio futuro. La segunda parte del artículo intenta recapitular la situación de los pueblos mbuti, aka, baka y bakola que todavía, en gran medida, tienen acceso a sus bosques. La parte final del artículo ha hecho un uso extensivo de la reciente investigación de Jerome Lewis y Dorothy Jackson para presentar la situación de los batwa que han sido excluidos de sus antiguos territorios forestales o cuyos bosques han sido destruidos por inmigrantes agricultores o pastores.

La cuestión sigue pendiente: ¿pueden estos tres aspectos de la lucha por los derechos indígenas de los pueblos del bosque del África Central juntarse en tal forma que respeten sus diferentes situaciones?

¿Pueden

a) aquellos antiguos cazadores-recolectores que están siendo conscientes de su necesidad de luchar por sus derechos pero que ya no tienen acceso al bosque,
b) aquellos cazadores-recolectores que todavía dependen del bosque que les brinde alguna autonomía y seguridad, y
c) aquellos involucrados en el movimiento internacional por los derechos indígenas, encontrar una forma de trabajar juntos y desafiar y aprender los unos de los otros?

Si los diferentes estilos de vida y de pensar de estos pueblos van a sobrevivir, necesitarán ser comprendidos y articulados efectivamente en un contexto africano que requiere una recapitulación de lo qué significa ser indígena: incluyendo moverse en dirección a una compresión más dinámica que no sólo contemple a los primeros pueblos marginados del Sur sino que también refleje las motivaciones y necesidades de aquellos pueblos del Norte y otros involucrados en la lucha por los pueblos indígenas.

Lo que se sugiere aquí es que "indígena" es quizá mejor pensado como una cualidad en vez de una categoría, un verbo más que un sustantivo. No es necesariamente algo que algunos pueblos son y otros no son sino en cambio es una cualidad ecualizadora de pertenencia, una cualidad que muchos de los rituales, humor y prácticas sociales de los pueblos del bosque parecen designados a restablecer continuamente. Podría ayudar a reconocer que cuando no se mantiene el espacio abierto para que estos cazadores-recolectores conformen su propio futuro, cuándo ya no pueden practicar sus formas sociales inclusivas e igualitarias de desafío y apoyo, pueden perder la cualidad igualitaria de pertenecer (y en un sentido dejar de ser indígenas y comenzar a ser extraños extractivos ellos mismos). Podría ayudar si enfocáramos menos en trazar límites entre ellos y sus vecinos agricultores, y entre los indígenas y los norteños, y en cambio reconocer que sus vecinos agricultores y otros "extraños" son capaces de ser "indígenas" en la medida en que se alejen de una actitud de explotación y dominación y en cambio entran en un diálogo de iguales [5].

El mismo hecho de que el término "indígena" es tan difícil de usar en un contexto africano no es algo que necesitemos abundar, ni necesita ser un obstáculo para apoyar los derechos indígenas en África, bastante al contrario. Apoyar los derechos indígenas en un contexto africano podría potencialmente ser un proceso unificador más que divisivo: afirmar los derechos de los cazadores-recolectores incluyendo su relación con sus vecinos, implica identificar los procesos que los están marginando y explotando. Si la igualdad de los cazadores-recolectores es afirmada en una forma que identifique los procesos que están también explotando a sus vecinos, el proceso de afirmación de los derechos indígenas se convierte en una negación dinámica a aceptar las condiciones desiguales y explotadoras que finalmente deshabilitan a todos los involucrados[6].

Notas

1 Este artículo se basa en recientes investigaciones sobre la situación de los batwa en el este de la RDC (Barume & Jackson 2000) y de los batwa en toda la región de los Grandes Lagos (Lewis: 2000); también recurre a recientes relevamientos de las situaciones de los diferentes pueblos del bosque en toda África Central (Luling & Kenrick:1998) y a contribuciones del excelente volumen de Biesbrouk, Elders y Rossel sobre los cazadores-recolectores de Africa Central (1999).

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[redacted]

[2] Por ejemplo, Jerome Lewis (comunicación personal) señala que los mbendjelle se llaman a ellos mismos *"bsi ndima"* (literalmente: pueblo del bosque) y también describen a otros grupos que ellos conocen como los baka como "bsi ndima". Esta categoría está en oposición a *"bsi mboka"* (literalmente: gente aldeana, ya sean agricultores o pescadores).

[3] Esta sección se remite en gran medida a Jerome Lewis (2000).

[4] Esta sección está basada en Kwokwo Barume y Dorothy Jackson (2000).

[5] Tanto Jerome Lewis como Espen Waehle se preguntan si existe primordialmente tal continuidad entre las formas de relacionarse de los cazadores-recolectores y agricultores con otros y el medio ambiente. Espen Waehle pone de relieve, en cambio, el contraste entre sociedades agrícolas esencialmente competitivas y sociedades igualitarias cazadoras-recolectoras. Yo he argumentado en otra parte que existe una continuidad entre actitudes de oposición y actitudes de cooperación entre los cazadores-recolectores y los agricultores. Estos cazadores-recolectores usan formas sociales y rituales para impulsar su experiencia hacia la cooperación, mientras que sus vecinos agricultores usan formas sociales y rituales como un intento de afirmar la importancia de la oposición y la dominación, pero las experiencias de oposición o identificación con otros y el medio ambiente pueden ser consideradas como que están en ambos extremos de una continuidad de la experiencia de todos estos pueblos.

[6] Mi agradecimiento a Espen Waelhe, Jerome Lewis y Axel Koehler por sus comentarios sumamente útiles so :e las redacciones previas de este artículo, las opiniones expresadas en el mismo son, por supuesto, enteramente de mi responsabilidad.

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Documento IWGIA no.30, 2000. Por Morita Carrasco. 300 páginas
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LOS HADDAD DE CHAD

Por Ida Nicolaisen

Un joven haddad cantando temas de animales. Foto: el autor

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Al fin del milenio, las voces de los pueblos recolectores se están haciendo más fuertes. En todo el mundo nos relatan sobre condiciones de vida inaceptables, discriminación y opresión cultural, pero también, para aquellos que están dispuestos a escuchar, de valiosas contribuciones y enriquecimiento de la humanidad. Distantes al principio, como simples tonos lejanos, los grupos cazadores-recolectores se han convertido cada vez más en incisivos y elocuentes en la demanda del respeto de sus conciudadanos. Solicitan oportunidades iguales y cumplimiento de la Carta de Derechos Humanos. Sin embargo, el silencio disturbante prevalece en algunas partes del mundo. Esto es el caso de los *haddad*, uno de los muchos grupos étnicos que suman unos 5 millones de habitantes de la República del Chad en África Central.

El mundo exterior conoce poco de la mayoría de los pueblos de este vasto país ya desesperadamente pobre en sí mismo. Aparte de la esporádica atención ofrecida por su precaria estabilidad política después de décadas de guerra, el Chad ha sido dejado sólo, excepto quizá por los traficantes de armas y las compañías petroleras. Sin embargo, incluso los intereses de las últimas están marcando el tiempo pues el propuesto oleoducto a Camerún ha sido detenido, dejando al Chad con una pálida perspectiva para impulsar el crecimiento económico en el siglo XXI.

La situación de los haddad está íntimamente ligada, argumentaría, al estado general de insurgencia y violencia que ha prevalecido en el Chad durante tanto tiempo como podemos comprobar. La beligerancia y las incursiones a gran escala en busca de esclavos continuaron hasta bien entrado el siglo XX. La esclavitud no fue abolida hasta después de la independencia en los años 60 y una serie de prácticas discriminatorias fueron tácitamente aceptadas por el régimen colonial francés, condenando a los haddad a ser ciudadanos de segunda clase. El gobierno posindependentista declaró a todos los habitantes libres e iguales. Sin embargo, la pobreza de la guerra civil, el desastre ambiental que siguió a las sequías de los años 70 y 80, en combinación con el fracaso de la comunidad internacional de controlar el régimen brutal de Hissene Habre desde 1982-90, durante el cual decenas de miles de personas fueron muertas, 1) ha detenido el desarrollo económico. En muchos aspectos, la población es tan extremadamente pobre como era hace cuarenta años, cuando crucé Kanem a lomo de camello.

Por lo tanto, no es ninguna sorpresa que los proyectos de investigación social hayan sido pocos y muy espaciados. Sin embargo, es desconcertante que en realidad se conozca menos ahora sobre los haddad que hace treinta años. Gran cantidad de científicos sociales han trabajado durante décadas entre los grupos del vecino Camerun por no mencionar entre los que viven en el Congo, pero los haddad y muchos otros pueblos del Chad no han provocado la curiosidad científica. Aparte de breves referencias sobre los haddad en los escritos de los administradores franceses y los estudios realizados por esta autora y su difunto esposo Johannnes Nicolaisen en 1963 y por Edouard Conte en 1972, no se ha realizado ninguna investigación sobre los haddad en los pasados treinta años, en la medida de lo que es de mi conocimiento. No se pueden encontrar referencias con respecto a ellos, ni sobre cazadores-recolectores de Niger en *The Cambridge Encyclopedia of Hunters and Gatherers* recientemente publicada por Richard B. Lee y Richard Daly (1999). Hitchcock destaca en este volumen que "África Occidental tiene pocos cazadores-recolectores, nada más que gente que ha vuelto a la recolección como resultado de la sequía, fallas de las cosechas o conflictos civiles" (1999:175). Este no es el caso de los haddad, como veremos. Tenemos la esperanza de que este ensayo iniciará un renovado interés científico sobre los haddad y despierte consciencia sobre las dificultades de este y otros grupos menores en el Chad.

Contexto ecológico

Los haddad viven en Kanem y zonas adyacentes de Niger al este y al nordeste del Lago Chad. Históricamente es un cruce de migraciones y rutas comerciales, esta área es el territorio de una fascinante multitud étnica. Ha contemplado las idas y venidas de las dinastías políticas desde la época medioeval, se ha beneficiado y soportado las miserias del tráfico de esclavos y productos, hacia el norte a lo largo de la antigua ruta de las caravanas de Fezzan a Trípoli y hacia el este a través de Dafur y Khartun, una extensión también utilizada por creyentes peregrinos en su camino a la Meca. Este es el país del Sahel, un paisaje suave de dunas ondulantes salpicadas de acacias y crecimiento de pasturas perennes y anuales y zonas donde el mijo y otras cosechas pueden cultivarse durante las estaciones lluviosas. El imponente valle de Bahr del Ghazal, que provee una corriente para el Lago Chad corría a través del sur de Kanem. A comienzos del siglo XX Kanem todavía era rica en gacelas, antílopes, jirafas, avestruces, elefantes y numerosas especies menores, siendo los leones y los chitas poco numerosos. Los hipopótamos y los cocodrilos nadaban en el Lago Chad hasta la mitad del siglo XX cuando la caza comercial los llevó casi hasta la extinción. También los animales salvajes terrestres han disminuido enormemente, muchas especies se han extinguido debido a causas naturales como las sequías de los años 70 y 80 y parte debido a la caza no

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Mujer haddad cavando en busca de raíces de acacia para utilizarlas como arcos y travesaños en las tiendas. Foto: el autor

controlada con armas automáticas por parte de los militares y otros.

Como el resto del Chad, la prefectura de Kanem está habitada por una serie de grupos étnicos, algunos mayormente pastores como los *kreda, fulani, kecharda* y los de habla árabe *uled sliman*, otros agricultores sedentarios como agro-pastores como los *kanembu*. Entre estos muchos grupos étnicos, una encuentra a los haddad, que caen en dos categorías. Un gran grupo de cazadores-recolectores, que suman unos 3.000 individuos, que viven durante la mayor parte del año en campamentos y hablan la lengua de los pastores kreda. Los otros, totalizan unas 25.000 personas, que viven una vida agrícola mayormente sedentaria en las aldeas entremezcladas entre aquellos de los agro-pastores kanembu, aplicando su lengua. En este ensayo delinearé las muchas distinciones entre los dos, pero dedicaré más espacio a los haddad kreda.[2]

Los haddad

Los haddad parecieron eludirnos al principio de ese verano de 1963, apenas antes de que se lanzara la guerra civil, cuando fuimos a lomo de camello a ubicarlos. Se conoce poco, si algo, de ellos y sus andanzas y cuando finalmente encontramos campamentos kreda que también albergaban a familias haddad, éstas argumentaban invariablemente de que habían abandonado la caza hace mucho tiempo, por temor a que perteneciéramos a la administración o a la policía y hubiéramos venido a confiscar su caza y multarlos. No obstante, durante los meses siguiente logramos obtener su confianza y formar una imagen general de la sociedad y cultura haddad, así como establecer relaciones más íntimas con algunas familias lo cual nos permitió alcanzar una mejor comprensión de ciertos aspectos de su cultura.

Pero los haddad eran evasivos en otras formas que en poder ubicarlos en el espacio. Para empezar, no tenían un nombre propio. La palabra haddad deriva del término árabe *haddid* (hierro). En el norte de Chad se utiliza coloquialmente el singular *haddadi* para denotar no sólo aquellos que trabajan este metal, los herreros, sino también por extensión otras categorías de artesanos y de grupos que logran una forma de vida mediante la caza y otras actividades de recolección o que alegan una tradición de haberlo hecho. Los primeros son conocidos como *ezé seguire* (cazadores que usan red) o *ezé firiré* (cazadores de arco y flecha) en kreda, mientras que los últimos son llamados *duu* en kanembu. El nombre duu, sin embargo no está más exactamente definido que el nombre haddad, ya que incluye también tanto artesanos como sus parientes no artesanos asimilados a los kanembu en adición de los descendientes de grupos cazadores. No voy a abundar más en las complejidades de los términos étnicos en Kanem, pero solamente establecer que los dos grupos cazadores-recolectores, que nos ocupan aquí, ambos reconocen y aplican el término haddad para autocalificarse. Es más, pueden muy bien especificar su identidad agregando kreda o kanembu, es decir los nombres de los grupos étnicos con quienes están vinculados en relaciones asimétricas.

Así como los haddad no tienen un nombre étnico distintivo, tampoco hablan una lengua propia, sino que usan la de los kreda o los kanembu, con quienes también comparten una amplia gama de características sociales y culturales, incluyendo su adherencia al islam. Los kanembu perciben a los haddad kanembu como un substrato de su sociedad, relegando a los clanes haddad a

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Familias haddad trasladando el campamento. Las tiendas y los útiles de cocina son cargados sobre burros. Foto: el autor

Los hombres haddad curten el cuero para la Kreda, pero son generalmente las mujeres las que se encargan de curtir las pieles de antílopes, gacelas, chacales y otros productos de caza. Foto: el autor

una posición inferior dentro su propia estructura clánica. Esto no sucede entre los kreda, quienes no imponen un idioma cultural a los haddad, incorporándolos en su estructura social. Casi no necesita mencionarse que los haddad kreda y los haddad kanembu se consideran grupos étnicos en su propio derecho, y fundamentarán sus demandas señalando a los mitos originales, características culturales diferentes y finalmente, pero no menos importante, a su estilo tradicional de subsistencia, la caza. Los haddad no son un pueblo socioeconómicamente carente que han "caído de vuelta en la caza-recolección como resultado de la sequía, falla de los cultivos, o conflictos civiles", para citar a Hitchcock (1999:175). Todo cuanto sé es que son genuinos cazadores-recolectores, cuyas condiciones de vida han cambiado radicalmente durante el pasado siglo. Esto ha forzado a los haddad kanembu a asentarse para llevar una vida altamente agrícola y a los haddad kreda a aceptar una posición de servidumbre en los campamentos kreda.

Lo que es común a todos los haddad es la baja estima, si no el directo desprecio, en el que son mantenidos en todo Kanem, ya sean artesanos o cazadores-recolectores. Todo ellos están relegados a una posición social inferior. La depreciación cultural de la sociedad en general encuentra una serie de salidas y expresiones culturales y está mantenida por la implementación de una endogamia estricta. Los hombres kreda y kanembu pueden comprometerse en relaciones extra-matrimoniales con las mujeres haddad, pero no ocurren casamientos entre los haddad y kreda o kanembu hombres y mujeres. El estatus social inferior de los haddad es explicado culturalmente, no sólo por referencia a eventos míticos, sino también señalando cualidades definidas, o la falta de ellas, por parte de los haddad. Los belicosos kreda dicen, por ejemplo, que desprecian a los haddad por no estar dispuestos, o ser incapaces, de defenderse a sí mismos, mientras que los kanembu, temerosos de las habilidades de los haddad de utilizar flechas venenosas, no obstante, destacan esta misma arma como carente de valor cultural con respecto a su lanza, el arma que usan y con la cual se identifican.

Los haddad están vinculados a la red social más amplia por relaciones estrictamente asimétricas de dependencia y limitados por restricciones socioeconómicas. Más allá del fin del comercio de esclavos que impuso el régimen colonial francés, no desarraigó los vínculos de tipo feudal a los que estaban sometidos los haddad kanembu, ni trabajaron persistentemente para abolir esas formas ligeramente disfrazadas de esclavitud que, por ejemplo, prohibían a los haddad poseer ganado. Además de estas formas de discriminación, los franceses impusieron una prohibición a la caza por medios tradicionales: redes y arcos y flechas, destruyendo la economía haddad mientras que al mismo tiempo les demandaban que pagaran impuestos. La última política ha sido mantenida por el gobierno nacional.

La vida y subsistencia de los haddad recolectores o previamente recolectores ha sido entonces definida durante el siglo pasado no sólo por el entorno físico y la disponibilidad de animales de caza en cualquier momento dado sino también por las agendas políticas y las percepciones culturales de sus compatriotas. En suma, a los haddad les ha sido prohibido proseguir su estilo tradicional de vida y en la práctica se los ha condenado a ser ciudadanos de segunda clase. Echemos ahora una mirada más próxima a este pueblo, su forma de vida, incluyendo la situación de las mujeres.

Familias haddad instalan sus tiendas detrás de la tienda central de su anfitrión kreda. Es necesario colgar una protección extra delante de las tiendas con el fin de proteger a la familia del polvo y el frío de la noche. Foto: el autor

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Los cazadores con red haddad kreda

Este grupo de haddad alega que se han trasladado al oeste a Kanem durante el siglo XVII del vecino Sudán junto con los pastores kreda, con quienes todavía acampan y migran la mayor parte del año. Donde sea que estén juntos, las tiendas de los haddad están ubicadas en una fila detrás de las de los kreda, de tal manera que cada familia haddad está exactamente detrás de la familia kreda a la cual está vinculada a través de derechos y obligaciones mutuas.

Usualmente no hay más de tres o cuatro familias haddad en un campamento kreda. La relación de intercambio implica que la familia kreda ofrece a "su" familia haddad leche de una o dos vacas de acuerdo a las condiciones de pastura y carne de las vacas sacrificadas. Por su parte, el hombre haddad curte las pieles del ganado y de los pequeños rumiantes de los kreda, mientras que su mujer se ocupa del pelo de la mujer kreda, una tarea que cada vez toma la mayor parte del día y por la cual la mujer haddad puede recibir un regalo adicional, por ejemplo un poco de té. Una familia haddad presta una mano a "su" contraparte kreda para batir manteca y ocasionalmente una porción de pasto *ogu*, que recogen en cantidades considerables y comen como potaje con una salsa vegetal. Esto es altamente apreciado por los kreda ya que el potaje de ogu es un plato favorito y los kreda no recogen el pasto ellos mismos.

La recolección, especialmente de semillas de ogu es singularmente importante para la dieta haddad, en particular durante el verano cuando la caza es pobre. Además, pocas familias tienen campos de mijo propios para suplementar la dieta en períodos de escasez de alimentos. Es destacable que la recolección de ogu es realizada por los hombre haddad, no por las mujeres como es el caso de la mayoría de otros grupos recolectores.

En el momento de nuestro trabajo de campo, la caza todavía era de una significación económica vital para los haddad kreda. Cazan fundamentalmente con redes hacia donde se conduce a los animales pero también hacen uso de lazos y lanzas. Encontramos unos pocos boomerang de madera, pero esta es un arma típicamente encontrada más al este o al sur. Los haddad kreda no utilizan arcos y flechas envenenadas, las herramientas de caza de los haddad kanembu.

La caza con redes es el método más importante y los haddad las adaptan al tamaño de acuerdo a los animales que deseen cazar. Los animales pequeños son cazados individualmente, las gacelas y antílopes colectivamente: las gacelas como un esfuerzo conjunto de las familias de cualquier campamento dado, los antílopes oryx en grandes expediciones de caza realizadas por varias unidades de campamentos relacionados.

La caza de las gacelas y los antílopes forman la columna vertebral de la economía haddad, suministrándoles no sólo una parte considerable de su nutrición, sino también tendones para la fabricación de redes, pieles para las tareas domésticas y dinero de la venta de las pieles y cuernos.

Cada tipo de red tiene su nombre particular. Las más pequeñas son usadas para cazar liebres y zorros. Las redes son tendidas en un semicírculo o una línea recta, y luego se fuerza al animal a salir de su guarida con un palo para quedar atrapado en las redes y es subsiguientemente muerto o vendido como mascota a los administradores o a la guarnición de la Legión Extranjera.

Redes apenas mayores son usadas para cazar gallinas de guinea y alguna ocasional avutarda de gran tamaño, difícil de cazar. Las próximas en tamaño son redes para cazar chacales, un animal que todavía puede ser cazado por un hombre solo.

La caza de la gacela es, como se ha señalado, un trabajo en conjunto que involucra uno o más poseedores de redes así como también a otros miembros del campamento, incluyendo a los niños bajo la dirección del hombre más anciano de la partida. La partida de caza empaqueta sus herramientas en asnos y envía exploradores de animales, algunos a pie, otros montando los pobres asnos, usando las redes como montura. Cuando la presa ha sido ubicada y se ha decidido la estrategia la partida se separa. Cada dueño de red pone todas sus diez a veinte redes en un lugar. Dependiendo del terreno y ubicación de la presa, las redes son tendidas en aberturas entre los arbustos y los árboles. Mientras tanto, los jóvenes y los niños colocan una serie de palos de madera a un intervalo de unos pocos metros cada uno con un trozo de cuero de cabra negro. Estos palos representan hombres y dirigirán a los animales hacia las redes, donde son cazados. Mientras que los dueños de las redes se esconden cerca de las mismas, todos los miembros jóvenes de la partida se alinean a una distancia del animal y, cuando se les da una señal, corren hacia él gritando y batiendo palos uno contra el otro para espantar a los animales en la dirección de las redes donde pueden ser capturados, golpeados para luego cortar sus gargantas de acuerdo a la práctica musulmana.

El sostén tradicional de la economía haddad kreda fue la caza colectiva de antílopes, en particular el oryx, que hasta la Segunda Guerra Mundial todavía pastaba en grandes manadas en las partes meridionales del desierto hasta el norte de Kanem. Los haddad realizaban expediciones anuales para aprovecharse de este recurso cada invierno. Los palos con pieles de oveja, según los haddad, no pueden engañar a los oryx y entonces se requería una gran cantidad de personas para montar la formación trampera necesaria para perseguir y conducir a los animales hasta las redes. Para cazar antílopes damaliscus y oryx, deben erigirse varias series de redes paralelas, una atrás de la otra, a fin de poder detener a estos fuertes animales. A pesar de la prohibición de la caza algunos haddad todavía iban al norte a cazar antílopes a mediados de los años 60, pero el retorno ha declinado drásticamente debido a la depredación que ya relatamos.

Después de una caza exitosa, todos los animales cazados colectivamente son divididos de acuerdo a reglas fijas : los dueños de la red reciben la cabeza, el cuello, la piel y las cuatro patas hasta las rodillas, es decir, aquellas parte con tendones que pueden ser aprovechadas para hacer nuevas redes. El dueño de la red recibe estas partes incluso si no ha participado de la caza él mismo. El resto de las carcazas se dividen igualmente entre todos los participantes de la caza, independientemente de la edad, sexo, y relaciones familiares. Algunas porciones son separadas a veces específicamente para los ancianos.

El engaño de la servidumbre

Nuestras discusiones con los haddad dejaron totalmente en claro que las relaciones con los kreda eran económica y políticamente vitales para ellos. Por un lado, sólo podían subsistir con dificultad sin la leche del ganado kreda durante la estación lluviosa, dijeron. Este suplemento a su dieta era más crucial cuando los animales de caza eran escasos y ellos tenían prohibido poseer animales domésticos excepto asnos. Así había sido

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desde tiempos inmemoriales, dijeron. Además, era socialmente aceptado en todo Kanem que tal propiedad era libre de ser tomada, una práctica no efectivamente detenida por los franceses. La situación social de los haddad había sido entonces similar a la de los esclavos hasta que el Chad declaró su independencia y los derechos libres e iguales para todos los ciudadanos. No obstante, en el momento de nuestro trabajo de campo, los haddad no eran tratados como personas con derechos, sino dependientes jurídicos de los amos kreda, quienes les ofrecía protección y podían intervenir en su nombre. Desde el punto de vista kreda una familia haddad dependiente no sólo significaba una fuente adicional de fuerza de trabajo y suministro de semillas silvestres y ocasionalmente otros productos de la recolección, les otorgaba prestigio social en la sociedad pastora más amplia, señalando que eran lo suficientemente pudientes como para subsidiar a una familia recolectora.

Violencia y dependencia

En el momento de nuestro trabajo de campo los haddad no sólo vivían en un estado de dependencia de los kreda; su posición social era en muchos aspectos la de los parias. Eran despreciados por el resto de la comunidad, como ya fue señalado, y la falta de respeto tenía un tono racial. Tanto los kreda como los kanembu declaraban, por ejemplo, que los haddad eran "negros" en contraste con ellos mismos. Encontramos una cantidad ínfima de haddad que habían recibido alguna escolaridad y los miembros de los otros grupos étnicos declaraban que los haddad deberían ser mantenidos en su lugar, fuera del desarrollo de la sociedad. Algunos afirmaban que no se les debería permitir ninguna educación, otros que nunca deberían ser empleados en cargos superiores a funcionarios.

Los haddad no cuestionaban abiertamente su servidumbre y su posición de casta, en la medida en que pudimos juzgar. Es un hecho sociológicamente bien conocido que los oprimidos bien pueden identificarse con el opresor y que la oposición, si se da, asume formas sutiles, disfrazadas como se muestra, p. ej., en Scott en *Las armas de los débiles* (1985). En lo relativo a la dependencia económica y política de los haddad de los kreda, se debe recordar, que esto no les fue impuesto o mantenido en contra de su voluntad. Era una servidumbre a la cual los haddad se habían sometido ellos mismos debido a la necesidad. Sus razones para hacerlo deben ser consideradas en el hecho de que la caza de esclavos, los robos, y un prevaleciente estado de insurgencia había caracterizado la vida en esta parte de África desde tiempos inmemoriales y que, además, la violencia fue sistemáticamente aplicada por los franceses como medio de control en Chad como lo demuestra Azevedo (1998). Es en la memoria colectiva de este pasado así como en su evaluación de la actual situación política que están arraigadas las razones haddad para permanecer con los kreda y aceptar un tipo de vínculo de casta.

Aunque el nuevo gobierno nacional del Chad había declarado a sus ciudadanos libres e iguales, la situación de los haddad no había tenido ningún cambio notable desde mediados de los 60. Los haddad permanecían en los campamentos Kréda durante la mayor parte del año, y algunos buscaban refugio y eran apoyados por el jefe del clan kreda durante unos meses durante la estación agrícola. Algunos haddad habían adquirido unas pocas cabras propias y todos tenían la esperanza de obtener más animales domésticos en vista al hecho de que se estaba convirtiendo en sumamente difícil para ellos subsistir de la caza debido a la prohibición de esta actividad y la rápida disminución de los animales.

Lo que ha sucedido con los haddad desde las sequías de los años 70 y 80 es una interrogante abierta. Por todo lo que sabemos los animales son excesivamente escasos y aunque la insurgencia puede estar disminuyendo, las condiciones generales de vida son más difíciles que nunca en Kanem. Es el momento para que la comunidad internacional dirija su atención a esta parte del mundo y de que tratemos de recoger señales de pueblos como los haddad, si es que todavía pueden enviar alguna.

Notas

1. Se están haciendo intentos ahora para establecer un tribunal internacional para investigar las atrocidades. *The International Herald Tribune, enero 26, 2000.*
2. El tamaño real de la población haddad es hoy una pregunta abierta. A comienzos de los años 60 Rouvreux presumía que había unos 100.000 haddad (incluyendo a los artesanos) al norte de los 13° de latitud norte, una cifra que me parece exagerada. A comienzos de los años 70 los duu constituían un promedio del 20% al 25% de la población kanembu o sea unas 25.000 personas de acuerdo a Conte. Pero todavía se esperan estimaciones precisas.

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LOS JARAWA DE LAS ISLAS ANDAMAN

La situación histórica y contemporánea de los "fieros" jarawa que eludieron las garras de los colonialistas británicos, manteniéndolos a raya con sus arcos y flechas, presenta una anomalía intrigante frente a los sufrimientos de otros grupos indígenas de las Islas Andaman y a la trayectoria de eventos que ahora se han convertido en lugar común con respecto a los pueblos indígenas de todo el mundo. Los jarawa todavía blanden las mismas armas, más fuertes ahora, reforzadas con puntas de flecha de hierro para defender sus límites territoriales ya que son continuamente relimitados por los colonialistas indios. Y, sin embargo, son llevados con engaños a encuentros notablemente bien orquestados mediante la promesa de cocos, bananas, arroz, telas y piezas de hierro. La seducción de las "mercancías" ¿socavará finalmente la mística de los jarawa en la medida en son empujados resueltamente dentro del circuito del fetichismo mercantilista?

Por Sita Venkateswar

Cargando cestas con mercancías donada
Foto: el autor

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¿Quiénes son los jarawa?

Los *jarawa* son uno de los cuatro grupos de pueblos indígenas de las Islas Andaman, un grupo de islas ubicadas en el Océano Índico cerca de Myanmar e Indonesia. Los cuatro grupos existentes son los *andamaneses*, los *onge*, los *jarawa* y los *sentineleses*, listados aquí de acuerdo a la intensidad de su exposición a la administración colonial de las islas. Los isleños son una parte de las mermantes poblaciones semi-nómadas, cazadoras-recolectoras-pescadoras *negrito* del sur y del sudeste de Asia. Los cuatro grupos isleños de Andaman habitan diferentes islas del archipiélago. Estos grupos han estado separados lo suficiente como para desarrollar substanciales diferencias lingüísticas y ahora son referidos en la literatura como cuatro tribus diferentes. A continuación se brinda un sumario de la situación de los isleños desde la intervención de la India en sus vidas desde 1947:

Los *andamaneses* en la actualidad suman aproximadamente 35 personas. Han estado asentados en una pequeña isla llamada Strait Island, que se les ha otorgado, aunque sigue siendo dudoso sí tienen algún tipo de documento legal a ese efecto. Los estragos del primer y más largo "contacto" ha sido sufrido por los andamaneses. Su reasentamiento en la Isla Strait es concebido por el gobierno de Andaman como alguna forma de medida de reparación por las injusticias históricas que han sufrido.

Los *onge* de la Pequeña Andaman no tuvieron interferencias en su estilo de vida hasta mediados de los sesenta. Una sub-estación de investigación del Censo Antropológica de la India (ASI) fue establecida en Port Blair en 1952 y equipos de investigación de la India visitaban frecuentemente a la Pequeña Andaman. Se anunció un programa para el desarrollo de la Pequeña Andaman al final de los sesenta y los antiguos habitantes fueron segregados en dos asentamientos permanentes en los dos extremos de la isla: Dugong Creek, el asentamiento mayor en el norte y South Bay en el extremo meridional de la isla. Su población fue disminuida constantemente y ahora suman aproximadamente cien personas.

Los *jarawa* han sido constantemente empujados hacia los márgenes de sus antiguos territorios y actualmente ocupan los límites occidentales de las Islas Andaman del Medio y del Sur. Siguen siendo hostiles a las incursiones dentro de sus dominios. Durante los últimos veinticinco años, la administración de la isla ha iniciado un "contacto" con los jarawa y alega haber establecido algún grado de relación con el pueblo.

Finalmente, los *sentineleses*, llamados así debido a la Isla Sentinel del Norte, la isla que ellos habitan, son los más aislados y menos conocidos de los isleños y continúan presentado un frente militante frente al mundo actual. Hasta hace seis años, rechazaron todo intento de aproximación a su isla. Se cree que su número alcanza a 200-250 individuos.

Para los isleños de las Andaman, ha sido una continua historia de colonización desde 1858, primero los británicos establecieron un establecimiento penal en las islas, luego la India tomó control de las islas en 1947, siguiéndola una breve ocupación japonesa de las islas durante la Segunda Guerra Mundial. La versión británica de la economía colonial era la de traficar en el circuito del tabaco, té, azúcar, opio y alcohol, atrayendo a los isleños firmemente dentro del ámbito del imperio británico. La subsiguiente variante india, también colonial en sus dimensiones ya que pertenece a los isleños, los priva aun más del control de sus base tradicional de recursos. Fue meramente una transferencia de poder entre dos regímenes coloniales, con muy poca diferencia entre ambos. El colonizador cambió del "hombre blanco" al "marrón", el cual después de 1947, como su antecesor, procedió a impulsar "la carga del hombre blanco de realizar el 'elevamiento' de los 'atrasados primitivos'".

¿Qué implica un nombre?

Durante el transcurso del tiempo, el pueblo denominado por el término jarawa ha significado como el misterioso, desconocido, hostil "otro" para aquellos que los han denominado así. Jarawa significa extranjero en la lengua de los *aka-bea-da*, los andamaneses a los cuales los británicos, durante los años desde el establecimiento del penal, conocieron primero. Los administradores británicos de las Andaman no eran conscientes de las diversas divisiones territoriales y lingüísticas de los andamaneses o sobre la diferencia entre las poblaciones costeras y del bosque, los grupos *eremtaga* y *ar-yauto*.

Del análisis del vocabulario y la comparación de la cultura material recolectada por el Teniente Colebrooke durante el período del primer asentamiento en las islas desde 1789 hasta 1796, se pudo luego constatar que la población que residía en la región en torno al asentamiento era, al parecer, el pueblo referido como jarawa por los aka-bea-da. Una interesante contradicción reside en el hecho de que el pueblo que el Teniente Colebrooke describe usa canoas y balsas, pero aquellos que luego fueron conocidos como los jarawa no poseían canoas. Sólo construían balsas para cruzar las corrientes de agua o atravesar cortas distancias entre las islas, una práctica característica de los jarawa hasta el día de hoy. Una posible explicación es que eran los jarawa costeros que usaban canoas, pero la tecnología era desconocida para los grupos que vivían en el interior. Es probable que alguna enfermedad fue introducida entre los grupos costeros por el primer asentamiento del Teniente Colebrooke y Blair en 1789, resultante en una marcada reducción de su población. Los cuatro años que los británicos ocuparon su sitio inicial en el sudeste de la isla Andaman del Sur, fueron suficientes para diezmar las poblaciones costeras del grupo referido como los jarawa por los aka-bea-da. Cuando la colonia penal fue establecida se encontraron solamente jarawa habitantes del bosque, que usaban balsas en el interior de Andaman del Sur, durante la segunda expansión de la posesión británica de las islas a partir de 1858. Sarkar (1990) sugiere que fueron estos despoblados

jarawa costeros que fueron empujados dentro del bosque por los numéricamente más fuertes aka-bea-da y durante el transcurso de medio siglo de existencia forestal olvidaron la artesanía de la construcción y uso de la canoa.

Sería instructivo en esta etapa explorar la particular apelación de jarawa por los aka-bea-da, quienes la usaban como un término inclusivo cuando se referían a los onge de la Pequeña Andaman, así como también con referencia a los habitantes de la Isla Sentinel del Norte. Otros grupos con los cuales los aka-bea-da no eran familiares en Andaman del Medio y del Sur nunca fueron especificados como jarawa sino por el nombre que ellos mismos se designaban. La conclusión de Portman, que parece estar fundamentada por la investigación lingüística actual, es que había dos ramas importante de pueblos indígenas en las Andamanes. La rama de la Gran Andaman comprendía todos los grupos de las Andaman del Norte del Medio y del Sur. La rama onge incluía a los onge de la Pequeña Andaman, los jarawa de Andaman del Sur y el pueblo de la Isla Sentinel del Norte.

Según Portman (1899) toda el área del norte de la Pequeña Andaman hasta el lugar de Port Blair estaba en algún momento habitada por el "grupo de tribus onge". Pero estos grupos entraron en conflicto con el movimiento hacia el sur del grupo de tribus de Andaman del Sur quienes, en el transcurso del tiempo, ocuparon todas las islas al sur de Port Blair hasta la isla Rutland. Los onge, en respuesta, se retiraron hacia el sur. Portman continúa sugiriendo que estos acontecimientos detuvieron los movimientos del pueblo de Sentinel del Norte, quienes ya no se animaron a visitar a la Isla Rutland, "y las varias tribus del grupo entonces se separaron y se hostilizaron, sus arcos, etc., se alteraron más o menos, pero sus lenguas permanecieron aliadas aunque tan alteradas como para ser mutuamente ininteligibles" (*ibid.*:703).

Durante todo el período británico, existe mucha ambigüedad sobre quiénes en realidad eran referidos como jarawa. En diversos puntos, jarawa que usaban canoas fueron capturados y sus lenguas eran incomprensibles para los jarawa que usaban balsas. En algunas instancias, onge capturados conversaban a veces con jarawa capturados y otras veces sus lenguas resultaron ser mutuamente ininteligibles Las versiones modificadas del punto de vista de Portman fueron reiteradas por subsiguientes escritores sobre las Andamanes. Radcliffe-Brown (1964) era de la opinión de que:

> *[Los jarawa] son descendientes de inmigrantes que en algún momento en el pasado llegaron desde la Pequeña Andaman y se echaron sobre los habitantes de la Isla Rutland y Andaman del Sur, manteniendo su posición en el nuevo país por la fuerza de las armas"* (ibid.:13).

En base a esta observación de la migración estacional hacia el norte de los onge ubicados en las partes norte de la Pequeña Andaman, el conocimiento onge y los nombres para todas las islas al norte de Pequeña Andaman, Cipriani (1966) concluye que los jarawa y los onge son el mismo pueblo, algunos de los cuales emigraron a otras islas en el norte como resultado de la presión demográfica sobre la Pequeña Andaman o a causa de guerras tribales.

En la actualidad, el único recurso es designar por la ubicación geográfica –la gente que habita la reserva de 700 km. cuadrados demarcada en 1920, en las márgenes occidentales de Andaman del Medio y del Sur son especificados como los jarawa, los isleños de la Sentinel del Norte son designados como sentineleses. Sí son el mismo pueblo citado como jarawa en el pasado es un asunto de conjeturas. Es un tanto irónico que hasta el día de hoy desconocemos cómo los jarawa en realidad se llaman a sí mismos, aunque algunas indicaciones de mi investigación sugieren que ellos también se llaman onge.

Agresión y hostilidad: el legado británico

> *"La palabra jarawa hoy es sinónimo de hostilidad. Y son hostiles, pero defensivamente hostiles. Conociendo su historia, es aceptable que se volcaran a la violencia contra el mundo externo como medio de autopreservación"* (Whitaker, 1985:66).

En 1931, Bonington del gobierno británico en las Andamanes al final de una expedición punitiva contra los jarawa, postula: "Esta expedición no detuvo las incursiones jarawa; como el bosquimano de Sudáfrica, el jarawa es implacable y continuará peleando hasta su exterminio" (citado en Whitaker 1985:13). A la luz de estos comentarios, puede parecer sorprendente que en la era inicial de la ocupación británica de las Islas Andaman, había una imagen muy diferente de los jarawa. Cuando el Teniente Blair se encontró con ellos por primera vez los consideró más tímidos que hostiles y tuvo menos dificultades con los jarawa que con los "salvajes" aka-bea-da, con los cuales nunca fueron posibles aperturas amistosas. Además, los comentarios de Portman llaman la atención sobre el hecho de que:

> *"En la medida en que llegamos a términos amistosos con los aka-bea-da, ellos nos prejuiciaron contra los j'rawas a quienes describieron en los términos más oscuros y los últimos, viéndonos aliados con los aka-bea-da contra ellos, desdeñaron o desconfiaron de nuestras aperturas amistosas, pasando de la timidez al principio y finalmente a la directa hostilidad"* (Portman 1899:704).

Portman es sumamente perspicaz cuando destaca:

> *"Los jarawas parecen ser mucho de lo que hicimos de ellos. Eran mucho más tímidos en el momento de esta visita [la del Tte. Colebrook] que lo que son ahora, y les fue dada una mala reputación por parte de nuestros andamaneses porque éstos estaban en enemistad con ellos y eran ignorantes con respecto a ellos"* (ibid: 711).

La primera mención de los jarawa como "aborígenes problemáticos" se realiza en 1865 cuando el Mayor Ford,

Superintendente de Port Blair en ese momento, estaba dedicado a construir un camino desde el asentamiento de Port Blair, al sudoeste a través del bosque hasta Port Mouat en la costa occidental. Bandas de convictos empleados para limpiar la selva en torno al asentamiento de Port Blair fueron frecuentemente confrontados con los jarawa. Los convictos informaron a los oficiales administrativos que esta gente (los jarawa) no eran tan hostiles como los otros aborígenes, sino que simplemente tomaban las armas y los utensilios que tenían los convictos y luego los echaban sin hacerles daño. Durante esta fase, se enviaron expediciones en busca de los jarawa, cualquier habitáculo que se encontraba era saqueado de todas sus pertenencias, y se dejaba en su lugar "cantidades de presentes no correspondientes". E. H. Man dirigió algunas de las expediciones enviadas al territorio jarawa. En su opinión, tales presentes compensarían mucho más de que los jarawa perdieron como propiedad. Él destaca que "nuestros" andamaneses tienen miedo de los jarawa y esto es imposible de comprender, ya que él consideraba a los últimos como silenciosos e inofensivos "nunca molestando o complicándonos, y solamente deseosos de mantenerse lejos de nosotros, mientras que nosotros siempre los estábamos molestando" (citado en Portman 1899:718). Portman agrega:

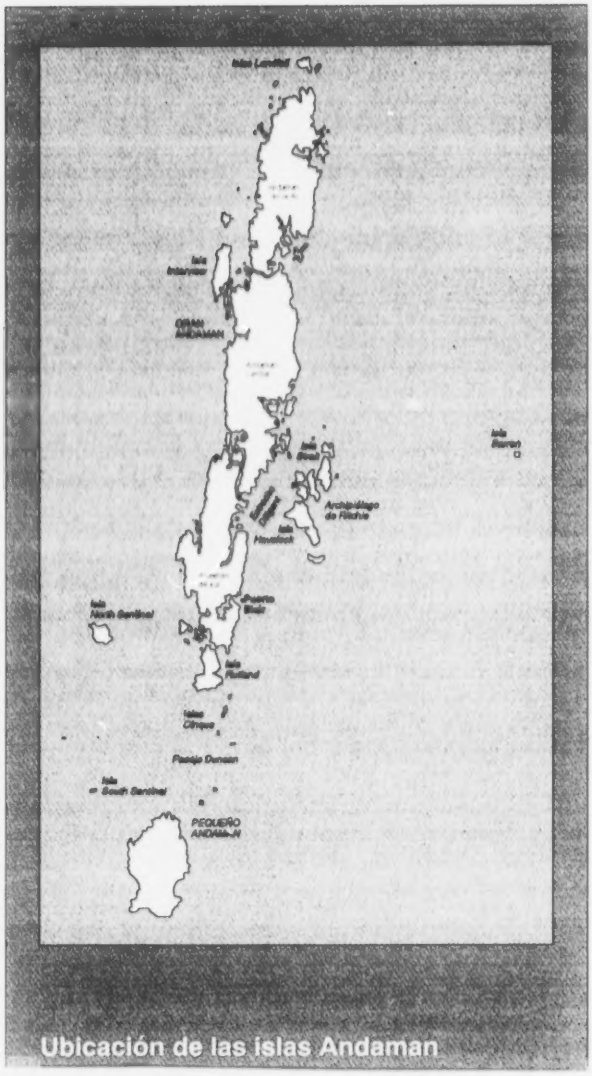
> *"Fue desafortunado que, al final, las chozas de los j'rawas fueron saqueadas así, y los presentes dejados, siendo cosas como fósforos, pipas, tabaco y anteojos, los usos de los cuales eran desconocidos para estos salvajes, les eran innecesarios, y de ninguna manera los compensaban por los artículos que se les quitaron"* (ibid.: 718).

Este estado de cosas continuó hasta 1880 después del cual hubo una escalada de la limpieza de bosques por los británicos. Es cuando Portman es nombrado como administrador en 1879 y el ritmo de la deforestación, en lo que ya se conocía como territorio jarawa, se incrementó de tal manera que:

> *Las expediciones en busca de jarawa podían moverse rápidamente a lo largo de estas sendas con raciones, etc., y así establecí estaciones de operaciones en el país j'rawa, y ahorré mucho tiempo y trabajo no teniendo que atravesar la densa jungla"* (ibid.:726).

Como los jarawa se retiraban constantemente frente e estas incursiones, los británicos escalaron sus esfuerzos para "conocer más" sobre ellos y "amigarse" con ellos. Cada vez que se descubría un campamento jarawa en el bosque, se abrían sendas desde el sitio limpio británico más cercano "para usarlo como base de operaciones desde donde los jarawa podían ser buscados" (ibid.729). En este Informe Anual de 1882-83, el Sr. Godwin-Austin reconoce que:

> *"Los jarawas han dado más trabajo durante el año pasado que hasta entonces, lo cual sólo puedo informar de una*



Ubicación de las islas Andaman

Las Islas Andaman son un grupo de 204 pequeñas y grandes islas en la Bahía de Bengala, que se extienden 350 km. en longitud y 52 km. en anchura, cubriendo una masa de tierra de 8.393 kilómetros cuadrados (Chakraborty 1990). El grupo de las islas Andaman está dividido en la Gran Andaman y la Pequeña Andaman. La Gran Andaman está constituida por tres islas principales, Andaman de Norte, del Medio y del Sur e incluye el archipiélago de Ritchie, la Isla Interview, la Isla Rutland y varios otros pequeños islotes (Basu 1990). Port Blair es la capital administrativa del grupo de islas Andaman y Nicobar, situado a una distancia de 1.200 km. de Madrás, y 1.090 km. al sudeste de Calcuta, a medio camino entre Myanmar y la parte norte de Sumatra.

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manera. Durante el año pasado se ha realizado mucho para abrir sendas a través de su país ... lo cual ellos tomaron como un movimiento de nuestra parte para encontrarlos y capturarlos en su primera aparición" (citado en Portman 1899:735).

No es de sorprender, que la respuesta a este tipo de hostigamiento de los jarawa sitiados cambió de la retirada a decididos ataques contra cualquiera que encontraban en el bosque. La invasión de los andamaneses en estas partes exacerbó la situación. Envalentonados por la protección conferida a ellos por el control británico de las islas, los andamaneses visitaron y ocuparon parte de los bosques en los cuales nunca se habrían aventurado sin arriesgar un encuentro con los jarawa. Desde este punto en adelante, los convictos y los andamaneses que trabajaban o cazaban en el bosque fueron regularmente atacados y matados por los jarawa. Deplorando este estado de relaciones con los jarawa y la imposibilidad de rastrearlos en el denso bosque, Portman evalúa la situación:

"Al mismo tiempo, el actual estado de cosas no carece de ventajas y a pesar de que temo de que los j'rawas continuarán siendo por un tiempo una fuente de dificultados para la Colonia, ciertamente dispararán contra cualquier convicto fugado que encuentren, y el conocimiento de estos actos, pienso, sirve como un desaliento a los convictos que piensan en escapar" (ibid.:750).

Como los jarawa se reubicaron de su antiguo territorio más al norte, en los bosques previamente ocupados por grupos de aka-bea-da que se habían extinguido, fueron enviadas expediciones en su búsqueda. Si la razón de tal curso de acción parece inexplicable, Portman tiene dificultades de elucidarlo en su Informe Anual para 1893-94:

"Nuestra única oportunidad de conocer a los j'rawas que actualmente parecen ser deseperanzadamente hostiles, es capturar algunos de los hombres jóvenes, como se hizo con los onge de la Pequeña Andaman y mantenerlos aislados hasta que sean realmente amistosos. Actualmente, cualquier encuentro entre ellos y los otros andamaneses finaliza en una pelea y, por lo tanto, he instruido a los últimos de las Andaman del Medio capturar a los j'rawas que encontraran, si fuera posible sin herirlos, y traérmelos a mi" (ibid.:756).

Incluso frente al riesgo de transmitir la epidemia de sarampión, estos infructuoso esfuerzos de poner a los jarawa dentro de la égida británica no cesaron.

"Yo soy de la opinión de que la única forma de capturar a los j'rawas es enviando partidas armadas de policías y convictos, como se hizo en otras ocasiones cuando fueron capturados y usar a nuestros andamaneses solamente como rastreadores, ya que tienen demasiado miedo de que los j'rawas hagan un esfuerzo real para capturarlos cuando estén solos y sin el apoyo de armas de fuego. ***Existen unos pocos andamaneses que están vivos ahora que conocen el territorio jarawa, y esos pocos son ancianos"*** (ibid.:761) (el énfasis es mío).

No se percibe ninguna disonancia en reconocer la decreciente población andamanesa con los esfuerzos de poner a otros grupos dentro del dominio del control británico. La palabra final de Portman sobre los jarawa es la siguiente:

"Para pacificarlos, deben ser capturados, y es esta captura que es tan difícil...una vez capturados, podrían ser retenidos por el Oficial al mando de los andamaneses hasta que estén pacificados en una cierta medida y aprendan un poco de indostán; también se les podría enseñar a fumar, estableciendo así una dependencia (1) que sólo el contacto con nosotros puede satisfacer;...Posiblemente, después de este tratamiento, algunos de ellos, si retornaran a su propios hogares, pudieran ser los medios para inducir a otros a ser más amistosos. La principal dificultad, después de que han sido capturados, es llevar adelante la antes mencionada política, porque, en cautiverio, los j'rawas enferman y mueren" (ibid.:766).

La situación se deterioró continuamente con un correspondiente aumento de la mortalidad en ambos lados. En cada operación de censo conducida por los británicos (comenzando en 1901, y repetida con intervalos de diez años), se montaron misiones punitivas a gran escala contra los jarawa.

Hacia el fin del control británico de las islas, las represalias jarawa tomaron la forma de incursiones y ataques al mismo asentamiento. La ocupación japonesa de las islas (1942-1945) y la muerte de cuatro soldados japoneses ocasionaron el bombardeo y disparos en varias partes de la isla, incluyendo el territorio jarawa, lo cual se cree complicó aun más la situación.

Las dos décadas pasadas

Los jarawa han continuado desplegando un frente impredecible, a pesar de los esfuerzos concertados realizados durante los pasados veinticinco años por la administración india de iniciar y mantener "contactos amistosos" con ellos. Sarkar (1990) analiza algunas de las ocasiones "momentáneas" que son percibidas como un punto de cambio importante en las actuales relaciones ambivalentes con los jarawa. La continuidad con las antiguas políticas británicas es destacable. Lo más sorprendente es que estas conexiones son citadas como una afirmación de la actual política.

"En 1968, 3 niños jarawa fueron capturados...y llevados a Port Blair, donde fueron retenidos [2] durante un mes bajo la observación de 2 antropólogos del Registro Antropológico de la India. Fueron tratados bien y luego fueron puestos en libertad cerca de su área con una gran cantidad de regalos" (Pandit 1974 citado en Sarkar 1990:51)... [2] *En realidad se*

siguió el método adoptado por Portman 1879-1894' (Sarkar 1990:51) (el énfasis es mío).

Whitaker y Whitaker (1984) destacan que:

> *"Desde 1974 en adelante se han realizado contactos regulares con los jarawa en su campamento costero de Chotaling Bang (Andaman del Medio). En 1981, otro grupo de la Andaman del Sur fue contactado usando a los jarawa de Chotaling Bang como intermediarios.* ***Los últimos fueron llevados a la Isla Strait y se les mostró[1] el asentamiento andamanés de allí"*** (ibid.:13, énfasis mío).

Las amenazas para la salud de tales contactos con personas externas es totalmente ignorado, y la enormidad del riesgo de llevar a los jarawa a la Isla Strait donde uno o más andamanés sufre crónicamente de tuberculosis es espeluznante. Como Zai Whytaker (1984) señala urgentemente, "incluso un virus de influenza podría ser fatal para pueblos que no tienen inmunidad con respecto a las enfermedades de la civilización" (70). Ella continúa recordando aquellos que han olvidado rápidamente las trágicas consecuencias de tales prácticas imprudentes en épocas previas en el caso de los andamaneses y los onge.

En la parte imprevista del "cambio de situación" están las continuas secuencias de "incidentes jarawa", cuando los intrusos o cazadores furtivos que son encontrados en territorio jarawa son generalmente atacados y muertos. O las incursiones periódicas que se realizan en las aldeas cercanas todos los meses en torno a la luna llena, para obtener implementos de metal y utensilios, bananas, cocos y arroz cocido (que son artículos estándar dados a los jarawa durante los viajes de "contacto"). Roger Whitaker (1985) afirma que la amenaza más seria contra los jarawa en la actualidad es la creciente presión humana en las islas y la continua invasión de su territorio que es fundamentalmente tierra de caza y de pesca. Él observa que los jarawa ahora usan metal para sus flechas y están dispuestos a tomar riesgos considerables para obtenerlo, incursionando en campamentos de construcción de caminos, campamentos forestales (policía del bosque) y granjas. Como la cantidad y la escala de los "incidentes jarawa" indican, recibiendo solamente atención de los medios de difusión si hay muertes del lado indio, los colonizadores, intrusos ilegales y la policía "del bosque", sin una aprobación formal del gobierno se encargan de lanzar una mini-guerra contra los jarawa. En este contexto, un previo Teniente Gobernador, la más alta autoridad en las islas fue escuchado decir que la "amenaza" jarawa debería ser finalizada de una vez por todas, cercándolos y reteniéndolos en algún lugar donde fueran incapaces de "causar problemas". Mientras tanto la administración sigue loteando tierras a los colonizadores, o legalizando invasiones a lo largo de los límites de la zona litigada forestal. También para los jarawa, como reconoce Mukerjee (1995), ha sido una declaración de guerra. Ella informa sobre un incidente de hace más de un año cuando "la tribu atacó un puesto forestal, empalando a una mujer y sacrificando a un ternero" (20). Los perros y elefantes, que están asociados con los colonizadores son matados regularmente, pero "en el proceso han protegido los prístinos bosques de su territorio, junto con su única fauna" (ibid.).

Se pueden sacar algunas lecciones saludables recordando las épocas tempranas del contacto británico con los

Grupo jarawa cercando [illegible]

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andamaneses, cuando similares "saqueos" nocturnos y la aceptación de presentes durante el día eran sucesos muy regulares. Portman no tenían ninguna ilusión cuando observó, "debemos admitir el desgraciado hecho de que no existe ningún particular amor por nosotros, sino principalmente la codicia de [bienes y] alimentos que los tientan a la Colonia" (Portman 1899:412).

La tragedia actual

Una nueva crisis se precipitó en agosto del año pasado (1999) con la irrupción del sarampión y sus subsiguiente complicaciones respiratorias, incluyendo tuberculosis y conjuntivitis entre los jarawa (Ali 1999, Bedi 1999, Sekhsaria 1999). Hasta la fecha se ha informado de 140 casos de una población total estimada de 300 personas. Estas enfermedades han seguido los pasos del gobierno de Andaman para "amigar" a los jarawa y las intensificadas invasiones a su territorio. Tales noticias alarmantes gatillan recuerdos históricos sobre epidemias similares entre los andamaneses y los onge durante el período colonial británico, que diezmaron a su población, dejando extintos a varios grupos territoriales. También recuerdan las severas advertencias de Whitaker, emitidas durante la primer época del contacto con los jarawa. Alrededor del mismo momento, un abogado local de Port Blair, presentó una petición solicitando la "rehabilitación" de los jarawa como los andamaneses y los onge. La Sociedad por la Ecología de Andaman y Nicobar (SANE) situada en Port Blair, a su vez, presentó una intervención en contra de tal acción, argumentado que sólo expondría a los jarawa a más enfermedades. Survival International, una organización activista con sede en Londres, emitió un llamado mundial a los antropólogos y otros para que enviaran testimonios denunciando la petición judicial. En la actualidad, el caso en nombre de los jarawa está siendo tratado por una firma jurídica de derechos humanos en Mumbai.

Mientras tanto, en favor de la causa de los jarawa, antropólogos, organizaciones activistas locales e internacionales y otras personas interesadas están presionando a la administración de Andaman para que se detengan todas las formas de contacto con los jarawa y a cerrar el camino que se encuentra en su territorio, pero todavía no lo han logrado. Al ignorar las lecciones de la historia en todo en mundo y al perpetuar el mismo proceso con los jarawa, el gobierno indio y la administración Andaman son, en efecto, responsables y culpables por realizar un proceso de genocidio. Por lo tanto, existe una espada de dos filos pendiente sobre la cabeza de los jarawa: la muerte como resultado de las políticas genocidas del gobierno indio o una muerte más lenta mediante el proceso del etnocidio, acarreado por los esfuerzos de hacerles disponibles las ventajas del mundo moderno. Por otro lado, los jarawa han resistido dos siglos de ataques de dos gobiernos coloniales diferentes, manteniendo coherentemente contacto con el mundo externo en sus propios términos y pueden todavía probar ser supervivientes de esta última crisis que cae sobre ellos.

Notas

1 No es indebidamente duro caracterizar al esfuerzo colonial británico como la primera de las más importantes redes de tráfico de drogas que han tomado la forma que conocemos hoy.

2 Debería mencionarse que por falta de otro acomodamiento alternativo, los cautivos estaban alojados en la Cárcel Celular.

3 Estos gestos son reminiscencia de la política de Portman o de otros oficiales británicos de llevar a los andamaneses y los onge a Port Blair o Calcuta para impresionarlos con las "maravillas y placeres de la civilización".

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Sita Venkateswar *se incorporó al programa de Antropología Social de la Universidad de Massey, Nueva Zelanda como profesora, en 1997, en la finalización de su Ph.D. de la Universidad de Rutgers, Nueva Jersey. Su discurso investigativo basado en su trabajo de campo en las Islas Andaman constituye un análisis comparativo de tres de los grupos indígenas de las islas, con diversas experiencias de colonialismo y desarrollo. En la actualidad está dedicada a una nueva investigación sobre una investigación visual del trabajo infantil en Nepal.* ❑

LOS ORANG KUBU DE SUMATRA

Deforestación y el pueblo del bosque: los orang rimba o kubu de Sumatra

Kubu o orang kubu [1] es un nombre aplicado a los pueblos habitantes de los bosques del sur de Sumatra por la población malaya. Siendo una pequeña y diseminada minoría, los kubu han sido dominados, económica y políticamente, por los malayos y sus políticas, que estaban centradas en los reinos basados en los ríos históricamente asociados con Jambi y Palembang. Los kubu han intentado limitar y a veces evitar el contacto con las comunidades circundantes. El conocimiento y la comprensión de los kubu por los extranjeros ha sido entonces limitada o incluso sumamente distorsionada.

Los kubu, o más bien, los mitos malayos sobre ellos, fueron descubiertos por el mundo de la antropología a finales del siglo XIX cuando los evolucionistas buscaban verdaderos primitivos o incluso "eslabones perdidos". Una serie de antropólogos viajaron a Sumatra en busca de los kubu. Entre ellos estaba Bernard Hagen, quien también sistematizó otros informes y en 1908 publicó una monografía: Die Orang Kubu auf Sumatra, la cual desde entonces ha sido la fuente estándar sobre los kubu. [2]

Por
Øyvind
Sandbukt

Orang Kumba
Recolectora de miel
Foto: El autor

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Combinando la extrapolación de sus propias observaciones de kubu sedentarizados o "pacíficos" con informes de kubu "salvajes", de quienes se pensaba que no sólo habían existido en el pasado sino que también se podían encontrar todavía en algunas áreas aisladas, Hagen procedió a caracterizar lo que el presumió habría sido un pueblo pre-malayo, verdaderamente aborigen de los bosques. Sumamente tímidos y temerosos de la sociedad externa, éstos tenían una tradición de ocultarse o huir de cualquier contacto con los extranjeros. Los productos del bosque eran originalmente obtenidos por el llamado "comercio silencioso" por el cual los artículos eran simplemente abandonados en ciertos sitios. Éstos eran reemplazados con regalos recíprocos sin que ninguna de las partes se enfrentaran. Este tipo de intercambio fue más tarde suplantado por un sistema en el cual un malayo especialmente confiable, llamado jenang, actuaba como intermediario entre los kubu y el mundo externo.

En el esquema de Hagen, los kubu "salvajes" estaban en un nivel virtualmente sub-humano de la evolución. Su organización social "pre-matriarcal" era del tipo más simple, basada en un relación igualitaria y "floja" entre el marido y la mujer. Los niños, tan pronto eran capaces de procurar su propio sustento, se separaban de sus padres y nomadizaban por su cuenta. No había concepciones trascendentales de ningún tipo y sus muertos y moribundos eran simplemente abandonados. En suma, los kubu salvajes eran apenas " superiores a aquellas criaturas sin el poder del habla que habitan el bosque junto con ellos".

Llevó casi dos décadas antes de que el antropólogo Paul Schebesta ofreció una perspectiva alternativa. Habiendo realizado un intenso trabajo de campo entre los habitantes del bosque en la Península Malaya, Schebesta, en 1925, pasó un par de semanas en el área general visitada antes por Hagen. Según la opinión de Schebesta, los kubu eran de la misma rama de los llamados proto-malayos en la Península Malaya. Por lo tanto, siempre habían tenido una tradición de agricultura "swidden" (método de "de rosa y quema"), pero debido a las depredaciones de los malayos, ellos no vivían frecuentemente dentro de sus campos y algunos pueden haber "regresado" a una existencia nómada. [3]

Los agricultores *swidden* : el Pueblo de los Nueve Jefes

Lo que no se sabía en ese momento era que había dos grupos étnicos distintos bajo el nombre de kubu. (Esto quedó claro recién en 1985 cuando el autor realizó un relevamiento distributivo de los grupos kubu en Jambi y el Sur de Sumatra.[4] Los primeros son los habitantes tradicionales del área muy grande mesopotámica entre los ríos Batang Hari y Musi. Son agricultores swidden y análogos a los grupos que habitan otras importantes áreas interfluviales formadas por las principales cuencas fluviales en las tierras bajas orientales de Sumatra. Esta población es la visitada una vez en 1906 por Hagen y en 1925 por Schebesta. Estos kubu demostraron ciertamente en el pasado una considerable reticencia a las relaciones con el exterior, incluyendo evitar a los visitantes desconocidos o desconfiables, pero en una medida mayor o menor también lo hicieron los otros grupos que habitan el interior como los talang mamak y los sakai.

En el lado Jambi del límite con la provincia de Sumatra del Sur, aunque todavía son conocidos por el nombre de kubu, ellos se refieren sí mismos como orang batin sembilan, Pueblo de los Nueve Jefes o, más generalmente como orang dalam, Pueblo del Interior. Ahora se han casado bastante extensamente con inmigrantes al área, profesan una adherencia al Islam y están integrados en 18 entidades aldeanas (desa) que han sido formadas en su área. Su mayor problema es que han perdido en gran medida no sólo sus bosques sino también sus tierras agrícolas frente a una combinación de grandes plantaciones y un gran número de inmigrantes en busca de tierras.

Nómadas del bosque: orang rimba

El otro grupo étnico subsumido bajo el nombre del kubu tiene una distribución geográfica diferente. Se encuentran en toda un área de unos 30.000 km2 que cubre la zona transicional entre las llanuras y las laderas de la cadena montañosa Barisan entre las cuencas del Batang Hari y el Musi. Esta área está caracterizada por una gran ramificación fluvial. Como resultado, las zonas interfluviales – o áreas de tierra entre las ramificaciones principales- son numerosas y relativamente pequeñas. Los grupos locales kubu habitan el interior de estas zonas interfluviales mientras que los malayos viven en las aldeas ribereñas. Cada agrupamiento local de grupos kubu ha estado, históricamente, rodeado de malayos y han tenido que cruzar ríos en canoas malayas para establecer contactos con grupos kubu de otras zonas interfluviales.

Estos kubu de río arriba se autocalifican como orang rimba (o orang hutan), Pueblo de la Llanura. El nombre orang rimba refleja una identidad que está muy fuertemente asociada con el bosque y al mismo tiempo agudamente contrastada con aquella de los malayos. Una serie de características culturales y organizacionales están asociadas con este contraste y lo refuerzan. En algunas formas la más importante de estas características es la capacidad de los orang rimba de vivir como cazadores-recolectores nómadas, el único caso en Sumatra (con excepción de los nómadas habitantes de botes de la zona costera que son conocidos como orang laut, Pueblos del Mar). Son así capaces de subsistir de los alimentos silvestres que pueden ser recolectados y cazados, aunque la mayoría de ellos adoptan normalmente una forma de agricultura swidden que, subordinada a su estilo de vida móvil, les brinda una seguridad de subsistencia mediante un menor esfuerzo y tiempo que la recolección de alimentos silvestres. Como recolectores de los productos del bosque para el comercio, los orang rimba también pueden obtener alimentos de los intermediarios como provisiones adelantadas en apoyo de

su trabajo, o como suministros comprados con sus procedimientos. También pueden obtener alimentos a cambio de trabajo agrícola para los aldeanos.

Parecería que el nomadismo de los orang rima es básicamente una adaptación a las exigencias de vivir dentro de espacios confinados que son demandados como territorios por comunidades aldeanas potencialmente hostiles y explotadoras. Los aldeanos malayos, así como los orang batin sembilan y comunidades comparables de agricultores swidden dentro de las más importantes zonas interfluviales en el este de Sumatra tienen una tradición de recolectar productos forestales para el comercio, similarmente a los orang rimba. Mientras que los orang rimba se desplazan a áreas de recolección dentro del bosque como grupos familiares, estos otros pueblos operan desde una base sedentaria o semi-sedentaria (un asentamiento o una casa de un campo swidden) y lo hacen en partidas solamente masculinas mientras que las mujeres permanecen en la base. Por lo tanto, no hay ningún imperativo ecológico que vincule la recolección y el nomadismo. [5]

Ubicación de los grupos orang rimba
Carretera de Sumatra y principales caminos provinciales

Dentro de las zonas interfluviales que habitan, los grupos de orang rimba están generalmente asociados con específicas cuencas fluviales menores donde alegan derechos a los recursos, como árboles frutales que han sido generados como resultado de pasados cultivos swidden o ciertos árboles gigantes a los cuales se recurre porque hay panales de abejas en ellos. Mientras que los grupos residenciales pueden abandonar estos ámbitos hogareños, a veces por periodos extensos, siempre retornan. Los movimientos en otras áreas, incluyendo otras zonas interfluviales, son facilitados por redes de parentesco que son generadas por modelos de casamiento uxorilocales en los cuales se requiere a los hombres a buscar esposas en otros grupos y vivir con ellas. Los grupos locales están, entonces, generalmente basados en mujeres estrechamente relacionadas, es decir, hermanas o madre e hijas. [6] La actual composición en cualquier momento dado varía muy considerablemente. Sin embargo, existe una activa visita y una cohabitación temporaria para una serie de propósitos sociales, económicos y rituales. La configuración grupal de cohabitación más estable está asociada con un complejo swidden en el cual varias familias comparten una locación. No obstante, después de un período inicial de protección de los cultivos contra las pestes y la recolección, el campo es generalmente abandonado como sitio residencial y tratado como un depósito de alimentos donde las provisiones, especialmente grandes cantidades de mandioca que continúan creciendo, son regularmente recogidas.

Su cultivo, aunque subordinado a un modelo residencial sumamente móvil, no es el esfuerzo casual que puede parecer cuando se compara con aquel de los aldeanos sedentarios, sino una altamente eficiente producción de un suministro básico de fécula dietética. Cuando el bosque no puede proveer los medios de subsistencia adecuados porque ha sido destruido o sobreexplotado, entonces tienen que recurrir a la agricultura siempre y cuando haya tierras disponibles. La plantación de árboles frutales y otros árboles perennes útiles en sus campos ha sido una importante parte de su modelo de cultivo, sirviendo para marcar los derechos a la tierra así como para intensificar los recursos del bosque. Mientras que los malayos han plantado caucho (Hevea brasiliensis) en sus campos swidden desde los primeros años del siglo XX y han transformado, por lo tanto, su economía de una economía basada en el bosque, los orang rimba han considerado tabú la plantación de caucho hasta recientemente. La implicación de plantar caucho, el cual luego se convierte en un muy importante recurso de subsistencia, es un fuerte

compromiso con una localidad dada y un estilo de vida sedentario que no corresponde con su estilo móvil. Sin embargo, en años recientes, este tabú ha sido muy abandonado porque las plantaciones de caucho son ahora consideradas como el principal substituto de los decrecientes productos forestales y así en su mejor garantía para el futuro.

Deforestación y perspectivas de futuro

El último par de décadas han traído cambios drásticos al mundo de los orang rimba. Grandes tramos de bosque en los cuales habían vivido han sido limpiados para abrir el camino a los proyectos de transmigración y plantaciones, después de haber sido previamente degradados sumamente a causa del talado. [7] Las áreas restantes de bosque están bajo una presión muy grande tanto por las actividades legales como las ilegales. La expansión y el mejoramiento de la infraestructura caminera han facilitado el acceso a áreas que antes estaban aisladas. En Jambi, que es la provincia donde se encuentra la mayoría de los orang rimba y de la que existe la mejor información, la actual situación y perspectivas pueden ser mostradas mirando más de cerca las tres principales áreas o regiones de distribución, que brindan contrastes instructivos. [8]

La región de la Autopista de Sumatra

La región atravesada por la autopista de Sumatra en la parte más occidental de la provincia es la más drásticamente transformada de las áreas habitadas por los orang rimba. La ruta ha facilitado proyectos de desarrollo a gran escala que requieren enormes extensiones de tierras y, con sus muchos caminos auxiliares, ha provisto un acceso muy eficiente y así ha actuado como un imán para los inmigrantes. La autopista corta las zonas interfluviales más importantes y los territorios de los orang rimba. Aún así, existen diferencias muy considerables entre las distintas zonas interfluviales en lo que respecta a cuán lejos y cuán rápido ha progresado la deforestación y, por lo tanto, con respecto a la situación de los grupos orang rimba que se encuentran allí. En total, existen unos 1.260 individuos orang rimba dispersados en toda esta región.

Los orang rimba de la parte más meridional de esta área, es decir, entre el Río Tembesi y el límite provincial del Sur de Sumatra (población: 484), están comparativamente bien en términos de recursos de subsistencia. Aunque la deforestación está llegando a la finalización también aquí, excepto en las laderas río arriba del Barisan, los orang rimba han tenido en general la visión y la oportunidad de asegurar recursos agrícolas razonables estableciendo plantaciones de caucho.

En contraste, en la zona interfluvial vecina Tembesi-Merangin la deforestación ha sido mucho más rápida y total debido a los proyectos de transmigración Pamegang y Kubang Ujo y las asociadas plantaciones de palma oleaginosa. Consecuentemente, los orang rimba de esta área (población: 312) no sólo han perdido su hábitat forestal y recursos, sino que han sido dejados sin tierras adecuadas o simplemente sin tierra para desarrollar medios de subsistencia alternativos basados en el cultivo del caucho. Aquellos que poseen pequeñas áreas de plantaciones de caucho entremedio de las palmeras oleaginosas son proclives a extenderlos de manera relativamente intensa e incluso cultivar productos secundarios entre los árboles. Los aldeanos han limpiado los bosques restantes en torno a los asentamientos de transmigrantes y la única forma en que se puede obtener tierra adicional para los orang rimba es comprando viejos sitios swidden con o sin caucho de los aldeanos a alrededor de 1 millón de rupias indonesias por hectárea, lo cual, en realidad, un par de familias orang rimba han logrado hacerlo. Aunque en general los transmigrantes y los aldeanos reconocen informalmente la tierra orang rimba plantada para el caucho, sus actitudes varían considerablemente de una aldea a la otra, y hay instancias en que tierras orang rimba han sido injustamente apropiadas. Interesantemente, a pesar de la devastación de su hábitat y sus recursos en sus áreas centrales en la zona interfluvial Tembesi-Merangin, sólo pocos de sus habitantes orang rimba las han abandonado en favor de otras áreas.

Las áreas entre los Ríos Merangim y Tabir y entre el Tabir y el Pelepat, han sido también intensamente deforestadas por dos grandes asentamientos de transmigración, Hitam Ulu y Kuamang Kuning, y el impacto estuvo una vez más compuesto por las plantaciones asociadas de palma oleaginosa. En esta área, los habitantes orang rimba del subdrenaje del Teleh del Tabir han buscado refugio en las cercanías del Parque Nacional Bukit Tigapuluh, en la parte más septentrional de la provincia. Varios grupos de la zona interfluvial del Parque Nacional Bukit Tigapuluh del Merangin-Tabir (población: 101) están mucho menos orientados hacia la agricultura que los orang rimba en general, y mantienen una existencia sumamente nómada. Algunos de ellos se han especializado en procurar una serie de productos forestales mágico-medicinales, que los hombres venden en los restoranes carreteros, mientras que las mujeres y los niños se pueden dedicar a la mendicidad. Los grupos que restan entre los ríos Tabit y Pelapat (población: 117), en contraste, están bastante dedicados a la agricultura y plantan ahora sistemáticamente caucho en sus swiddens y todavía tienen una oportunidad de expandir esas plantaciones.

La zona interfluvial entre los ríos Pelapat y Bungo no ha sido sometida a la deforestación a gran escala hasta el momento, pero se informa que se están planificando varias grandes plantaciones en esta área. Mientras tanto, la frontera agrícola de los aldeanos ha invadido el interior habitado por los orang rimba hasta el punto de casi apoderarse de las localidades swidden tradicionales de los últimos, que acostumbraban estar en el bosque profundo. Los grupos orang rimba (población: 145) en está área también están plantando caucho para marcar sus derechos territoriales y establecer un recurso de subsistencia para el futuro en lugar de los decrecientes productos

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forestales. En vez de trasladarse a las grandes áreas de bosque montañoso río arriba, los orang rimba tratan de concentrarse en sus asentamientos río abajo probablemente en parte debido a su futura dependencia de que el caucho tenga un buen acceso al transporte, lo cual es bastante importante.

El área entre el Río Bungo y el límite provincial de Sumatra Occidental ha sido ahora casi completamente deforestada y, por cuanto yo conozco, todos los orang rimba de esta área la han abandonado y han buscado refugio en otras partes, en la zona interfluvial Pelepat-Bungo, en el área Bukit Tigapuluh e incluso en Sumatra Occidental. El área está ahora dominada por el proyecto de transmigración Rimbo Bujang, uno de los primero de esos proyectos en Jambi y por más plantaciones a gran escala de palma oleaginosa desarrolladas más recientemente.

Los bosques de tierras bajas restantes en las áreas seccionadas por la Autopista Sumatra están sumamente fragmentados y, dada la elevada y creciente presión sobre la tierra, es sólo una cuestión de tiempo antes de que sean limpiados para que puedan ser cultivados con una mezcla de plantaciones, asentamientos y un mosaico de pequeñas parcelas. Lo que se necesita hacer más que nada entonces en lo que concierne a los orang rimba es restaurar sus derechos territoriales, a través de la compra si es necesario, para aquellos que han perdido su tierra y brindar seguridad de la tenencia para todos ya que la experiencia ha demostrado que son especialmente vulnerables a diversas presiones o incentivos a corto plazo de abandonar su tierra.

Esta región general y particularmente las partes montañosas río arriba hacia el oeste de la autopista también pertenecen a las amplias zonas de contención que rodean al Parque Nacional Kerinci-Seblat. Aunque disminuyen rápidamente, los bosques de las montañas deberían ser mantenidos bien como bosques de producción permanente o de protección para servir como una extensión de hábitat de facto y contención para el parque o, en parte, incluso para ser incorporados al mismo parque. La protección de estos bosques podrían obviamente beneficiar a los orang rimba, pero dependiendo del régimen de manejo impuesto podrían también implicar restricciones donde los orang rimba están condenados a ser una amenaza, particularmente contra las especies raras. Sería apropiado, por lo tanto, incorporar apoyo para las actividades de plantación de caucho delos orang rimba, incluyendo acciones que conduzcan a la seguridad de la tenencia. [9]

La región Bukit Tigapuluh

La segunda región en Jambi habitada por los orang rimba comprende las partes más septentrionales de la provincia, es decir el área entre el Río Batang Hari y las montañas Bukit Tigapuluh donde está situado el límite Riau-Jambi. Esta área constituye, en efecto, la zona de contención extendida del Parque Nacional Bukit Tigapuluh, que fue establecido sobre 127.000 hectáreas en 1995, traspasando los límites provinciales. La zona de contención sigue estando substancialmente forestada con concesiones madereras activas. De acuerdo a esto, los orang rimba de esta área (población: 364) siguen estando fuertemente orientados hacia la recolección de productos forestales. Aunque practican la agricultura swidden, lo hacen en sitios tan diseminados, que sirven de campamentos de base para sus actividades orientadas al bosque.

Aunque los bosques del área constituyen una zona de contención vital y una extensión del hábitat del recientemente establecido Parque Nacional Bukit Tigapuluh, tres de las concesiones madereras que limitan directamente el parque han sido designadas para su conversión en plantaciones madereras. Ya una gran plantación ha sido desarrollada en conjunción con un proyecto vinculado de transmigración precisamente en el medio de la cuarta concesión forestal, aumentando radicalmente el acceso al área y comenzando un inexorable proceso de fragmentación del bosque restante. Ha habido un enorme aumento de talado ilegal por parte de los aldeanos locales y otros, el cual, si continúa sin control, degradará pronto al bosque hasta el punto de que la conversión a plantaciones es una conclusión perimida. Esta concesión estaba de hecho designada por el Departamento Forestal de Indonesia como un modelo de concesión para manejo sustentable del bosque natural, con el apoyo de un proyecto técnico substancial financiado por Gran Bretaña. Tal como están las cosas, el concesionario, además de desarrollar la plantación de madera, está compitiendo con otras partes por los derechos a establecer plantaciones de palma oleaginosa en parte de lo que resta del bosque.

El tamaño relativamente pequeño de la población orang rimba en esta área bastante grande hace que no sea realista argumentar por la retención del bosque solamente en nombre de sus intereses. Por lo tanto, la llave para abogar en su nombre reside en combinar su hábitat, y los intereses con respecto a los recursos, con otros intereses que requieren protección del bosque natural. El interés de la conservación de la biodiversidad sería muy importante, manteniendo permanentemente una zona de contención en torno al perímetro meridional del parque nacional. Cuando el parque fue establecido a fines de 1995, sólo se agregaron 30.000 hectáreas al mismo en Jambi. Esta área correspondía al existente bosque de protección cuya extraña forma alargada y baja superficie en relación con el perímetro lo hacía poco apropiado para el manejo de parques. La retención de los bosques de zonas de contención, aunque relativamente degradados, significa una extensión duradera del hábitat disponible para muchas especies del parque y asegurará, así, la viabilidad a largo plazo de algunas especies. El bosque de contención también ayudará a absorber una serie de actividades humanas que, de otra manera, serían dirigidas al parque en sí mismo. Es más, las partes del bosque al sur del parque donde el terreno es relativamente nivelado es un importante hábitat de elefantes, que el parque en sí mismo no puede brindar por razones de su terreno extremadamente empinado. Como se destacó, las laderas empinadas extienden mucho de lo que ahora se clasifica como bosque de producción limitada pero designado para conversión en plantaciones forestales. De acuerdo a las regulaciones

existentes, las laderas de más de 40% (es decir 18°) deberían ser completamente protegidas, mientras que el límite de inclinación es de 25%. La lógica de estas regulaciones es limitar la erosión y proteger las funciones hidrológicas.

A estos intereses públicos por la conservación se puede añadir el igualmente público interés por mantener al menos alguna producción forestal para el futuro, incluso si un beneficio privado a corto plazo puede ser mejor asegurado convirtiendo las concesiones en plantaciones madereras. Un nuevo hecho importante en esta ecuación es la presencia de grandes complejos papeleros cuya tecnología es capaz de manejar casi toda la gama de especies de árboles. Por lo tanto, existe actualmente una inmediata urgencia de talar las áreas forestales mientras que en el pasado esto implicaría un gasto importante. Si es que se va a mantener una producción forestal natural, sería lógico ubicarla en la vecindad de los parques nacionales y otras áreas de conservación donde podrían cumplirse una serie de funciones útiles. La urgente necesidad en relación al interés público así como a los intereses de los recursos de los orang rimba, que pueden acomodarse tanto a la función de protección y producción del bosque, es producir la necesaria documentación y abogar enérgicamente por el mantenimiento del bosque que rodea al Parque Nacional Bukit Tigapuluh.

Región Bukit Duabelas

La tercera de las regiones en Jambi habitadas por orang rimba está centrada en las montañas de Bukit Duabelas que constituyen el corazón geográfico de la provincia donde se encuentran 5 de su 7 distritos. Las partes occidentales de esta área, que se encuentran cerca de la autopista de Sumatra, han sido directamente afectadas por proyectos de transmigración y plantaciones de palma oleaginosa y las áreas restantes están bajo la inminente amenaza de conversión en plantaciones madereras y plantaciones de palma oleaginosa, excepto por un área de unas 26.000 hectáreas que actualmente cubre las montañas. Esta área fue designada como una reserva natural en el Plan de Conservación Natural de 1982 y en 1985 fue propuesta como una reserva de la biosfera, pero ninguna de las dos fue implementada. Los bosques circundantes están sujetos a la incursión agrícola y la extendida degradación mediante el talado ilegal, el cual está actualmente amenazando la reserva diseñada.

Las estribaciones occidentales hacia las montañas ya han sido despojadas por los proyectos de transmigración Air Hitam y Kuamang Kuning en conjunción con intensivas plantaciones de palma oleaginosa. Las plantaciones madereras y de palma oleaginosa consumirán la producción forestal al este de las montañas y ha sido planificada una plantación maderera y de ratán para reemplazar la limitada producción forestal en el norte. La designación de las partes montañosas centrales como la Reserva de la Biosfera Bukit Duabelas fue aparentemente basada en la presunción de que esto se haría cargo de las funciones de la protección forestal, conservación y necesidades, así como los intereses por los recursos de los orang rimba (población: 1.208) [10]. Como sucede, esos intereses están primariamente vinculados a las partes más fértiles y ricas en recurso de la corriente media y baja de los ríos que drenan al Bukit Duabelas.

Salvaguardar los recursos tradicionales y derechos territoriales de los orang rimba en el área de Bukit Duabelas merece consideración como una prioridad nacional y merece la atención y el apoyo internacional. No hace mucho tiempo, los orang rimba eran matados cuando trataban de restringir el acceso de madereros dedicados a operaciones que conllevaban limpieza de terreno. Geográficamente y en términos culturales, esta es el área central de los orang rimba, donde los habitantes más que en ningún otro lugar, mantienen sus instituciones tradicionales y estilo de vida. La suya es una tradición verdaderamente única que es rica en términos de conocimiento ambiental y expresión ritual.[11] La dramática marginación de los orang rimba en otras partes de Jambi hace más importante que les sea permitido mantener su enclave central donde su cultura e identidad permanecen particularmente fuertes. La idea es, por supuesto, no esperar que permanezcan sin cambios, sino acordarles el derecho y la oportunidad de adaptarse a un mundo cambiante a su paso elegido. La condición mínima para esto es que a los orang rimba les sea permitido retener el área clave entre las montañas y el Río Tabir bajo su propio sistema tradicional de manejo de recursos. La mayoría del área está actualmente designada en planes provinciales oficiales como bosque de producción limitada, lo que significa, como una cuestión de política, que debería ser mantenido bajo una cobertura forestal permanente. Lo que sucede, es que la mayoría del área ha sido entregada a una compañía estatal para limpiarla de madera y para el desarrollo de una plantación de ratán.

Existen ahora precedentes para establecer esta área bajo el manejo de la ley tradicional. En enero de 1998, el Ministro de Forestación tomó una decisión trascendental sobre manejo forestal en Lampung. Unas 29.000 hectáreas consistentes de bosques protegidos y bosques de producción limitada fueron designados por decreto como un -así llamada- Área con un Propósito Especial para que fuera manejada por las comunidades locales según la ley consuetudinaria. Las comunidades tradicionales de Lampung Occidental han enriquecido el área durante generaciones con árboles útiles, particularmente árboles que producen dammar. Como se destacó antes, los orang rimba han enriquecido sus áreas forestales plantando o promoviendo una amplia variedad de árboles y otras plantas útiles en lo que puede ser caracterizado como un sistema de silvicultura de baja intensidad. Por lo tanto, se podría proponer, que mínimamente la producción forestal, que tiene unas 30.000 hectáreas de extensión, sea designada como un área de propósito especial para ser manejada por los orang rimba de acuerdo a sus leyes tradicionales. Esta área sería entonces adyacente a la reserva de la biosfera donde podría haber una mayor presión sobre la conservación de la biodiversidad.

Sin embargo, la intensidad de las presiones que se están creando en torno al área en cuestión y el nivel de conflicto y la complejidad de las relaciones entre los orang

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Orang rimba. Recolección de rattan. Foto: el autor

Deforestación en los terrenos montañosos. Foto: el autor

Orang rimba habitando en las afueras del bosque. Foto: el autor

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rimba y las comunidades aldeanas hacen que la opción anterior sea difícil de desarrollar y mantener en el tiempo. Un curso de acción más simple sería expandir la propuesta reserva de la biosfera para que cubriera áreas claves habitadas y utilizadas por los orang rimba. Las intenciones de la propuesta original, es decir, apoyar las funciones de conservación así como asegurar el hábitat tradicional de los orang rimba, sería entonces cumplida más adecuadamente. Es más, esta solución brindaría inmediatamente un estatus legal menos ambiguo del área y una abovedada autoridad de manejo como pre-requisito (pero no como condición suficiente) para defender al área contra la invasión. Podría ser desarrollado un régimen innovador de manejo en el cual los orang rimba tuvieran un rol clave basado en prácticas e instituciones tradicionales. Un sistema de zonificación desarrollado en base a una investigación interactiva integraría diversas formas de uso con otras funciones claves, tales como la conservación de la diversidad y protección del área de desagüe. De esta manera, los intereses fundamentales de los orang rimba podrían ser combinados con intereses públicos claves.

Acciones emprendidas

Como parte de la expansión de sus actividades en Asia (desde su centro existente en la región amazónica en Brasil), la Fundación Noruega para la Selva Tropical (NRF) ha establecido una cooperación con la ONG de Sumatra WARSI (Warung Konservasi Informasi). Bajo esta cooperación se ha desarrollado un proyecto de apoyo de 5 años para los orang rimba y la protección del bosque con ayuda financiera de NORAD (la Agencia de Cooperación Noruega para el Desarrollo Externo) y la misma NRF, y ha estado en marcha desde mediados de 1997. El proyecto está básicamente centrado en la abogacía por los derechos de los orang rimba y el manejo sustentable del bosque basado en documentación sólida, capacitación de los mismos orang rimba para tomar parte, establecimiento de redes y alianzas para apoyo y comprometiendo a los medios de difusión para amplificar el mensaje y ejercer una presión adicional sobre los que toman las decisiones. De acuerdo con la información y argumentos esbozados antes, el principal objetivo del proyecto es asegurar la implementación de una reserva de la biosfera en torno a Bukit Tigapuluh, Duabelas. El proceso ya está bien avanzando y se puede obtener una decisión este año por las autoridades competentes. [12]

El próximo objetivo es lograr la protección para la zona forestal natural de contención del Parque Nacional Bukit Tigapuluh, para lo cual se está realizando también trabajo de documentación. En adición a conducir intensos relevamientos de terreno en esta área y desarrollar documentación GIS utilizando series temporales de imágenes satelitales, el proyecto WARSI/NRF también ha contratado un cartografiado topográfico detallado (1:10.000) y modelado de las laderas de las alrededor de 85.000 hectáreas de terreno montañoso al sur del parque. El propósito es ofrecer documentación incontrovertible sobre el terreno que cumpla los criterios de la protección forestal, especialmente contra el talado de limpieza y el desarrollo de plantaciones. El cartografiado está basado en fotografías aéreas detalladas realizadas para las concesiones madereras del área hace años. Obtenidas de los archivos gubernamentales, estas fotografías están entonces finalmente puestas en buen uso.

El trabajo de WARSI en relación con el Parque Nacional Bukit Tigapuluh es una cooperación con un proyecto de WWF Indonesia basado en la vecina provincia de Rian. El proyecto WWF, que es apoyado por WWF Noruega y NORAD, es un seguimiento directo de una importante cooperación investigativa multidisciplinaria conocida como NORINDRA, [13] entre la Universidad de Oslo, el Instituto Indonesio de Ciencias y varias universidades indonesias. [14] El trabajo de campo fue centrado en el área de Bukit Tigapuluh y en realidad el parque nacional se constituyó en gran medida como resultado del trabajo de "lobby" basado en los resultados de la investigación. Implementado desde 1994, el proyecto de WWF ha estado principalmente concentrado en salvaguardar el ecosistema de Bukit Tigapuluh mediante una zona de contención de manejo y desarrollo comunitario sustentable, cubriendo también áreas usadas por los orang rimba.[15] Aparte de los orang rimba, los habitantes de la región Bukit Tigapuluh son los orang talang mamang, una minoría étnica de agricultores swidden, recolectores de productos forestales y recolectores de caucho y malayos tradicionales que forman la mayoría y en términos de subsistencia no difieren mucho de los talang mamang. Durante los últimos años, en respuesta a las presiones del uso sumamente creciente de la tierra y los conflictos debidos a la recientemente abierta autopista del este de Sumatra, el proyecto del WWF ha enfatizado crecientemente la abogacía utilizando enfoques directos e indirectos dirigidos a las autoridades con el significante potencial de influenciar el uso de la tierra dentro y en torno a Bukit Tigapuluh. Existe una estrecha coordinación y compartición de recursos entre los proyectos WARSI y WWF para la acción de abogacía y los proyectos publican un boletín trimestral de abogacía y red titulado Alam Sumatera & Pembangunan (La Naturaleza y el Desarrollo de Sumatra).

Como ya se destacó, los orang rimba de las partes occidentales de la provincia de Jambi se encuentran en lo que es, en efecto, ahora la zona de contención del Parque Nacional Kerinci-Seblat. Un importante proyecto de conservación y desarrollo (ICDP) para el parque y su zona de contención apoyado por un préstamo del Banco Mundial y un subsidio de la "Global Enviromental Facility" está siendo ahora implementado en y en torno a un proyecto de manejo de Kerinci-Seblat para el parque y las zonas de contención. A continuación de una crítica de haber causado daño a los kubu (orang rimba) mediante la financiación de los asentamientos de transmigración [16] y actuando de acuerdo a las recomendaciones para tomar en cuenta a los habitantes del bosque en el proyecto Kerinci-Seblat, el Banco finalmente constituyó un mandato para que una de las condiciones para aprobar el préstamo en apoyo de este proyecto fuera que incluyera un sub-componente kubu. El sub-componente tenía que producir primariamente un estudio básico y una evaluación de impacto y segundo, un plan de acción para los kubu [17]. El estudio de

impacto ha sido realizado y tiene una necesidad específica de tomar alguna acción dentro del contexto de el ICDP aunque el plan para tal acción, más allá de las indicaciones preliminares, todavía tiene que ser formulado. [18] Mientras tanto, WARSI ha tomado el asunto en sus propias manos, iniciando una acción, a pesar de recursos muy limitados, en apoyo de los orang rimba de esta área. Las actividades implementadas hasta el momento incluyen la identificación y medición de parcelas de tierra reclamadas por los orang rimba con vista a registrarlas ante las autoridades apropiadas. También incluyen el cabildeo con el gobierno local de la aldea para ayudar a impedir una marginación aun mayor de los orang rimba.

El objetivo clave del proyecto WARSI/NRF es la capacitación de los orang rimba para tomar parte activa por sus derechos a todos los niveles. En 1999 representantes de los orang rimba en el área del Bukit Duabelas fueron llevados a Yakarta para tomar parte en la primera conferencia nacional de pueblos indígenas indonesios. Probaron ser comunicadores eficientes y, vestidos en sus atavíos tradicionales, atrajeron mucha atención de los medios de difusión con respecto a sus dificultades. Subsiguientemente, los representantes orang rimba se han convertido en miembros líderes del capítulo Jambi de una organización nacional pueblos indígenas y tradicionales. Más específicamente, los representantes de los orang rimba del área de Bukit Duabelas han sido reclutados para integrar un foro conjunto que se reúne regularmente y tiene la intención de evolucionar en un vehículo organizacional para manejar una reserva expandida de la biosfera. Un evento publicitario clave en el camino para obtener esta reserva fue la adjudicación del Premio Kehati para el año 2000 para el nominado de WARSI, un orang rimba jefe del área de Bukit Duabelas, quien ganó sobre 102 otros candidatos de toda Indonesia. El recibimiento de este prestigioso premio por acción ambiental local de la mano del vicepresidente Megawati Sukarnoputri, en una ceremonia televisada donde asistieron los ministros y otros personajes destacables ha dado un considerable impulso a los orang rimba y sus sustentadores de WARSI. Aún así, asegurar un futuro viable para los orang rimba va a ser una lucha larga y difícil. Y parte de ese proceso, claramente no la parte más fácil, será para el mismo "Pueblo del Bosque" decidir lo que va a ser un futuro cada vez más deforestado.

Notas

1 Orang en la lengua indonesia y los dialectos malayos, incluidos los de los kubu, significa "gente" y es generalmente usado en conjunción con un nombre específico para indicar la identidad de un grupo, étnica o de otro tipo.

2 Bernard Hagen, 1908. Die Orang Kubu auf Sumatra. Veröffentlichungen aus dem Städtischen Völker-Museum, Frankfurt am Main. Frankfurt am Main: Joseph Baer & Co.

3 Paul Schebesta, 1926. Kubu und Jakudn (Jakun) als Protomalayen. Mitteilungen der antropologischen Gesellschaft in Wien. 56:192-201.

4 Ver Oeyvind Sandbukt, 1988, Resource constraints and relations of appropriation among tropical forest foragers: the case of the Sumatra Kubu. Research in Economic Anthropology 10:117-156.

5 Ver referencia en la nota precedente por un análisis del manejo de recursos y organización de los orang rimba.

6 Por un análisis del casamiento y relaciones de género de los orang rimba, ver Øyvind Sandbukt, 1988a. Tributary tradition and relations of affinity and gender among the Sumatran Kubu. En: Tim Ingold, David Riches, and James Woodburn (eds.), Hunters and Gatherers Volume I: History, Evolution and Social Change. NuevaYork/Oxford: Berg Publishers.

7 Ver Øyvind Sandbukt, 1993. Evaluation of Impact of Transmigration Projects on the Kubu People in Jambi, Indonesia. El Banco Mundial.

8 A menos que se indique otra cosa, lo siguiente está basado en Øyvind Sandbukt y WARSI Team, 1998. Orang Rimba: Needs Assessment for Resource Security and Development. El Banco Mundial y el Gobierno de Indonesia.

9 Ver Øyvind Sandbukt y WARSI Team, 1998. Orang Rimba: Needs Assessment for Resource Security and Development. El Banco Mundial y el Gobierno de Indonesia.

10 La primera cantidad de 1.014 de 1998 ha sido provisionalmente aumentada a 1.208 por el proyecto de campo WARSI (ver más abajo) en febrero del 2000.

11 Ver Øyvind Sandbukt, 1984. Kubu conceptions of reality. Asian Folklore Studies 43: 85-98.

12 Como parte de las actividades del proyecto, se ha elaborado un sitio web: www.warsi.or.id. Se alienta a los lectores a visitar el sitio por información adicional y noticias o, mediante la facilidad de enviar mensajes para comprometerse en apoyo de los orang rimba.

13 NORINCRA es una abreviación del Proyecto Noruego Indonesio de Manejo de Bosques Tropicales y Recursos.

14 Este proyecto fue financiado principalmente por el Consejo de Investigación Noruego y los Ministerios noruegos de Medio Ambiente y Relaciones Exteriores. Unos 27 trabajos científicos de una amplia gama de disciplinas representadas en el trabajo de campo del proyecto pueden encontrarse en Øyvind Sandbukt y Harry Wiriadinata (eds.), 1994. Rain Forest and Resource Management. Proceedings of the NORINDRA Seminar Jakarta 25-26 May 1993. Jakarta: Indonesian Institute of Sciences (LIPI).

15 Una descripción del proyecto inicial y el análisis subyacente están contenidos en el siguiente documento: Øyvind Sandbukt y Lene Østergaard, 1993. Bukit Tigapuluh Rain Forest and Resource Management. An Integrated Conservation and Development Approach. WWF World Wild Fund For Nature and the Directorate General of Forest Protection and Nature Conservation, Ministry of Forestry, Republic of Indonesia.

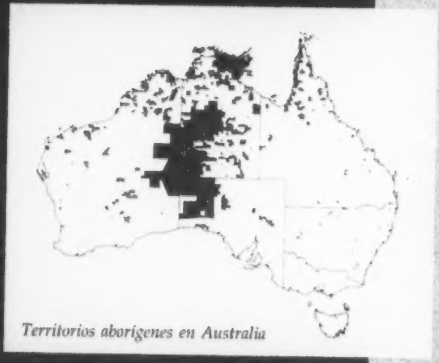
16 Ver Øyvind Sandbukt, 1993 y Pratap Chatterjee, 1994. Indonesian tribe hurt by Bank, says auditors. http://nativenet.uthscsa.edu/archive/nl/9406/0160.html; 1994a. World Bank fails to help tribe it destroyed. http://www.nativenet.uthscsa.edu/archive/nl/9408/0031.html

17 El Banco Mundial, 1996. Indonesia. Kerinci Seblat Integrated Conservation and Development Project. Staff Appraisal Report. Agriculture Operations Division, Country Department III, East Asia and Pacific Region.

18 Final Report. Kubu Development Study. Kerinci-Seblat ICDP Part B (Area/Village Development Component). Kerjasama antara Kerinci-Seblat ICDP Propinsi Jambi dan Pusat Penelitian IAIN Sultan Taha Saifuddin Jambi. Bappeda Propinsi Jambi. 1999.

Oeyvind Sandbukt *es un antropólogo social recibido en la London School of Economics and Political Science y la Universidad de Cambridge. En adición a un importante trabajo de campo sobre los orang laut/kuala nómadas marinos y los orang kubu y otros habitantes del bosque en Sumatra, también ha organizado investigaciones multidisciplinarias sobre manejo de bosques y recursos para la Universidad de Oslo. Últimamente ha estado basado en Indonesia como consultor en desarrollo y medio ambiente, proveyendo también asesoramiento asistencial para los proyectos de ONG descritos en el artículo.* ❑

USUFRUCTUANDO EL "PAÍS": SUBSISTENCIA CONTEMPORÁNEA INDÍGENA EN LA ERA DEL TÍTULO NATIVO DE AUSTRALIA



Territorios aborígenes en Australia

Los alimentos recogidos, usufructuados del "monte" de la vegetación nativa de Australia, plantas y animales marinos, son prominentes en folletines, libros y filmes dirigidos a atraer a los turistas extranjeros al continente. Los alimentos extraños a los sabores occidentales, como larvas encantadas y lagartos, son, junto con peces más familiares como el "barramundi", ilustrados junto con sus recolectores, los indígenas australianos, quienes, por la mayor parte, son retratados como viviendo todavía en estilos de vida sumamente tradicionales en partes remotas del país. Y un sabor de Australia, -como "kebabs" de canguro o sopa de larvas encantadas- son ahora también ofrecidos a turistas aventureros, generalmente en caros restoranes urbanos en ciudades como Melbourne o Sydney.

Por Elspeth Young

Indígenas cazadores del desierto con un lagarto. Todo el cuidado

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Esta industria de la recolección del "monte" sigue siendo en gran medida la esfera de empresarios no-indígenas. Pero su crecimiento es más ampliamente significativo. Es evidencia de una mayor comprensión de los valores de tales alimentos australianos, una comprensión que durante las últimas tres décadas ha sido sólo un aspecto de la creciente visibilidad de los indígenas australianos en las esferas políticas y en otras esferas. La elasticidad del conocimiento ecológico indígena en todas partes del país, brinda una prueba notable de la fuerza de la cultura indígena y de su habilidad para sobrevivir a pesar de dos siglos de presión orientada a erradicar las características espirituales y de comportamiento consideradas irrelevantes en una sociedad moderna. Esa fuerza está cristalizada en la creencia indígena universal que constituyen un todo con su territorio ancestral, su "país"; y que son responsables del mantenimiento saludable de ese país –sus aguas y sus suelos, sus plantas y sus animales, sus lugares sagrados- tanto para ellos como para las futuras generaciones. Debido a los derechos territoriales indígenas y el subsiguiente traslado de familias al "monte" durante las últimas tres décadas, el ejercicio de tal responsabilidad se ha convertido en mucho más posible. Simultáneamente, está siendo valorada más altamente la contribución única del conocimiento ecológico indígena a la conservación general de la biodiversidad de Australia y la sustentabilidad a largo plazo. El futuro escenario para la supervivencia de tal conocimiento y de sus aplicaciones prácticas parece entonces relativamente brillante. Pero también hay muchas interrogantes difíciles a responder. Negociar acuerdos entre los australianos indígenas y no-indígenas sobre compartir los derechos a tales recursos y manejarlos en formas que sean mutuamente aceptables es muy argumentablemente uno de los primeros desafíos que enfrenta la sociedad australiana en el siglo XXI.

La historia "negra" de Australia: la desposesión indígena y la destrucción cultural

Durante los dos últimos siglos los colonizadores no-indígenas se han dispersado desde las zonas costeras de Australia hasta las partes más remotas de su interior. En el proceso, han malentendido, denigrado y pisoteado los derechos de los pueblos indígenas a usar y manejar los recursos naturales del país. La percepción sostenida durante mucho tiempo de que el continente australiano era "terra nullius" –tierra de nadie- todavía alegado por representantes de las sociedades de base agrícola e industrial, brinda una evidencia gráfica de tales actitudes. Demuestra una casi total ignorancia de cómo los cazadores y recolectores indígenas percibían sus derechos ocupacionales y de uso, y cómo la flexibilidad de sus enfoques adaptativos al uso de recursos, se desarrolló durante un período de asentamiento de al menos 50.000 años y ha contribuido a la supervivencia de los hábitats naturales únicos de Australia.

La exploración y la colonización no-indígenas fue esencialmente colonial. Resultó en una extensa desposesión y la reubicación forzada de los pueblos indígenas en reservas y asentamientos administrados por gobiernos y misiones, frecuentemente lejos de sus territorios tradicionales. Al desalojar a la gente de su tierra, la desposesión fracturó el vínculo directo entre las familias y los recursos naturales de los cuales dependían; y también socavó todo su estilo de vida. Sus sistemas de creen-

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cias, su base económica, mantenidos mediante los sistemas de reciprocidad y de intercambio en vez de la creación de la riqueza individual, sus lenguas y elementos fundamentales de su cultura, todo esto provenía de aquellas relaciones con el territorio, relaciones que expresaban una total integración de gente y territorio. Para cada grupo indígena, esa integración proveía sus mismos fundamentos para vivir, su Ley, o Sueños.

> *"Todo surge a la superficie – la lengua, el pueblo, el "emu", el canguro, el pasto. Esa es la Ley* (citado en D.B. Rose 1996:8).

La desposesión y el reasentamiento forzado fueron también importantes factores en una amplia disminución de la población indígena durante al menos el primer siglo y la mitad de la era colonial australiana. Mientras que las masacres y la introducción de enfermedades infecciosas extrañas brindan una evidencia directa de este período de diezmo, la destrucción social y cultural que inevitablemente acompañó esta desposesión también fue crucial y la fragmentación social que todavía acosa a tantas comunidades indígenas contemporáneas brinda prueba de su persistencia. También forzó a muchos indígenas a trasladarse a pueblos y ciudades donde, de acuerdo con el censo de 1996, vive el 73% de ellos. Estos habitantes indígenas urbanos siguen determinados a mantener sus vínculos con el país; pero les es más difícil realizar sus responsabilidades. Bajo tales circunstancias, es muy sorprendente de que se mantenga tanto conocimiento.

Viviendo en el interior: la antigua forma

Los vínculos indivisibles entre el pueblo y sus recursos creó lazos que vincularon a grupos particulares a áreas particulares, lazos que eran, y todavía son, expresados espiritualmente y culturalmente y también, como se demuestra por su conocimiento ecológico específico, mediante sus actividades de subsistencia. Los complejos rituales que afirmaban la responsabilidad por el territorio del pueblo y los sitios dentro del mismo –rituales que incluían cantos, danzas, pinturas y tradiciones orales- explicaban la Ley para cada grupo, consagrada mediante seres ancestrales específicos que eran frecuentemente parte de esa tierra. Las características geológicas prominentes, pozos de agua permanentes y abundancia de alimentos en lugares ecológicos particulares, todos parecen ser seres ancestrales. Al noroeste de Alice Springs, por ejemplo, donde la miel y la ensoñación gobiernan la Ley para muchos grupos de familias extendidas, las mismas hormigas todavía proveen un artículo sumamente apropiado para los recolectores del "monte" en los límites del desierto; y en Cape York y las islas del Estrecho Torres la vaca marina y la tortuga tienen una significación similar para los grupos habitantes de la costa. Para la mayoría de los grupos, consumir su propio ser ancestral es estrictamente tabú. Pero la gente sigue firme en que comer la "recolección del monte" fortalece y es esencial incluso cuando otros alimentos son disponibles.

El uso práctico del pueblo de su país y de sus recursos, difería de acuerdo a las oportunidades ofrecidas en diferente regiones ecológicas. Por ejemplo, en el interior árido y semiárido, donde las sequías periódicas alteraban el suministro de agua para la gente, los animales y los pájaros, y también el florecimiento y los frutos de plantas valiosas, la recolección de alimento era frecuentemente impredicible. Las incertidumbres acerca del suministro de alimentos obligaban a la familias a trasladarse muy lejos de su territorio normal, dentro del territorio de vecinos más afortunados con los cuales ellos sabían que podían compartir los recursos. Esta práctica era ampliamente aceptada y no conducía a conflictos. Pero en el "Tope Superior" de los monzones del norte de Australia, donde las variaciones estacionales de las lluvias eran más predecibles y en general los alimentos eran más abundantes, las familias se podían sostener normalmente a sí mismas dentro de un territorio más claramente delimitado.

Todos estos elementos de uso de recursos tradicionales han sobrevivido, en diversos grados, hasta el presente. Su fortaleza brinda el fundamento para el manejo indígena contemporáneo de recursos en Australia.

Derechos a la tierra y uso y manejo contemponeos de recursos indígenas

Como los indígenas australianos han frecuentemente enfatizado, ellos detentan, como Primeros Pueblos, derechos consuetudinarios prioritarios en todas las partes del continente. No obstante, en la ley australiana, este hecho no fue aceptado hasta 1992 cuando la mentira de terra nullius fue formalmente descartada por la decisión de la Suprema Corte en favor de la demanda de Eddie Mabo para el Título Nativo al territorio en las islas del Estrecho Torres. Durante las tres décadas precedentes a esta decisión fundamental, el reconocimiento general del uso indígena de subsistencia de los recursos se había ya expandido y se había establecido firmemente un apoyo práctico para su continuación como un componente vital de los derechos territoriales. Entre los eventos significativos de este período se incluyen la aprobación del Referéndum de 1967, que otorgó al gobierno de la mancomunidad de Australia la responsabilidad general sobre las políticas y programas para pueblos indígenas; la institucionalización formal de los derechos territoriales mediante la aprobación de la Ley de Derechos Territoriales Aborígenes del gobierno de la mancomunidad (Territorio del Norte), 1976 y luego legislaciones estatales, la formulación de departamentos y programas gubernamentales específicamente diseñados para el apoyo indígena (p. ej., el Departamento de Asuntos Indígenas); y en los años 90, la aprobación de la legislación del Título Nativo, a continuación de la decisión Mabo (ver Young, 1995; Bachalard, 1997).

A través de estos diversos procesos, es formalmente reconocida la propiedad de los pueblos indígenas del 14 por ciento del continente (ver mapa). En estas áreas ellos

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toman las decisiones primarias sobre el uso de los recursos naturales y, si estos recursos todavía existen, usufructúan entusiásticamente productos del "monte". En algunas áreas, debido a la extensa introducción de la ganadería, agricultura y otras formas de uso de recursos no-indígenas, los recursos del "monte" han sido muy degradados y la pérdida de la biodiversidad y la degradación de la tierra son obvias. La gente reconoce esto muy claramente y frecuentemente deploran la destrucción que ha sido traída al territorio que sus familias conocían antes. Otro tema importante, como lo muestra gráficamente el mapa, es que la distribución geográfica de las tierras indígenas está sumamente desviada hacia las regiones más remotas áridas y tropicales. Esto refleja no sólo los efectos de décadas de desposesión y extensa enajenación de las áreas mejor regadas y más fértiles, sino que también diferencia la legislación de los derechos territoriales entre distintos estados y territorios.

En adición a tierras formalmente otorgadas bajo diversas legislaciones territoriales, la legislación del Título Nativo teóricamente ubica a los derechos indígenas en un contexto más positivo, al permitir a los pueblos indígenas plantear demandas para el reconocimiento de sus derechos prioritarios sobre áreas mucho más extensas de tierra, algunas de las cuales ya han sido enajenadas como Áreas Protegidas o arrendamientos ganaderos. Esto introduce un nuevo factor en la ecuación –la posibilidad de que tanto los derechos indígenas como los no-indígenas a la misma área del país (incluyendo las aguas) sean legalmente reconocidos. Tales derechos superpuestos han existido durante largo tiempo –muchos grupos indígenas han sido capaces de continuar cazando y recolectando en tierras usadas para otros propósitos, como la ganadería, habiendo sido establecidos, al menos en algunos casos, arreglos relativamente amigables entre ellos y los ganaderos no-indígenas. Pero el Título Nativo consagra estas superposiciones en la ley, con importantes implicaciones en términos de posibles conflictos para el uso de recursos (Young, 1999).

Derechos territoriales y usufructo del país

Los derechos a la tierra y al agua, y las variaciones entre ellos, tienen claras implicaciones en términos de la caza y la recolección contemporáneas. Estos difieren entre áreas donde la decidida propiedad es formalmente reconocida; y áreas donde sólo puede ser posible el reconocimiento de los derechos de uso. En amplios términos las áreas mostradas en el mapa pertenecen a la primera categoría; los ejemplos de la segunda categoría pueden ser extraídos de otras partes del país.

Caza y recolección en territorio de propiedad indígena

Aunque ningún grupo indígena contemporáneo vive exclusivamente de los recursos naturales de su tierra, la caza de subsistencia y la recolección de alimentos del "monte" constituyen una contribución muy substancial a la dieta de los pueblos, tanto en áreas áridas/semiáridas como en regiones más húmedas. En Arnhem Land en la Parte Superior del Territorio del Norte, por ejemplo, un estudio detallado de los años 80 (Altman, 1987) demostró que la gente obtenía más del 80 por ciento de su proteína del "monte"; y un estudio complementario realizado en la región costera (Meehan, 1982) demostró que entre el 55 y el 75 por ciento de la proteína derivaba de los mariscos, con variaciones estacionales. Aunque algunas regiones desérticas son generalmente menos provistas de alimentos naturales, los alimentos del "monte" todavía podían proveer un 75 por ciento de la proteína total (Devitt 1988). Tales cifras son más que suficientes para justificar el usufructo de los alimentos del "monte", sólo en términos económicos. Cuando el valor económico está realzado por la enorme contribución que estas actividades significan para el bienestar social y cultural y también, como yo y otros hemos argumentado en otras partes (Davies y Young, 1995), para la sustentabilidad a largo plazo de la tierra mediante las oportunidades provistas para la transferencia del conocimiento, el valor de tal subsistencia es muy fundamental. Cierto, la tecnología de la recolección ha sido radicalmente transformada – las tanzas de pesca de nylon, rifles, palancas de hierro, tanques de metal, motores fuera de borda y vehículos motorizados, son todas herramientas esenciales para el cazador-recolector contemporáneo. Pero las razones inherentes para la actividad han cambiado mucho menos. Casi todas las incursiones de caza y recolección incluyen un elemento de educación – gente mayor que muestra el país a los más jóvenes, relatando historias, cantando cantos y traspasando el conocimiento ecológico y cultural; y los cazadores y recolectores hábiles les enseñan a los otros cómo usar sus herramientas – cómo usar una herramienta para cavar eficazmente cuando se están sacando iguanas o larvas, cómo rastrear a los animales, leer las señales establecidas por las plantas germinantes y frutales y dónde pescar (ver fotos). La división de género en el usufructo de los alimentos del "monte" también se mantiene – los hombres cazan usualmente los animales mayores (p. ej., canguros, "emu", tortugas) mientras que las mujeres recolectan frutos, verduras y animales más pequeños, particularmente lagartos y serpientes. Y los modelos de consumo de alimentos también están relacionados con la división de género- el éxito es usualmente más probable cuando las mujeres están recolectando alimentos del "monte" porque ellas raramente pierden tiempo en cazar animales mayores que pueden ser difíciles de rastrear; los hombres pueden tener expediciones totalmente improductivas mientras que las mujeres obtienen una cantidad de diferentes tipos de alimentos. Y como la distribución de los alimentos está estrechamente relacionada con los proveedores de alimentos, es posible comer mejor en el campamento de la mujeres (Young, 1995).

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Cazando y recolectando en territorios donde los derechos indígenas y no-indígenas se superponen

Mientras que el usufructo de alimentos del "monte" constituye una contribución muy positiva a todos los aspectos del bienestar de los pueblos indígenas, las oportunidades de realizar esta actividad cuando los derechos a los recursos se superponen con aquellos de los terratenientes no-indígenas son mucho más pequeñas. Aquí la caza y la recolección pueden estar prohibidas, o pueden raramente ser intentadas debido a la abierta agresión de los terratenientes no-indígenas. No es infrecuente que la gente se "esconda" cuando oyen venir a los vehículos de los terratenientes; o que abandonen lugares claves, incluyendo sitios espirituales, porque estos lugares son también favorecidos por personas no-indígenas.

Sin embargo, la gente continúa usufructuando alimentos del "monte" si se siente confortable haciéndolo; y la gama de beneficios que obtiene de esto son muy similares a aquellos mencionados por su "primos" más afortunados que han sido capaces de reasentarse más permanentemente en su territorio. Entonces, a lo largo de las costas de Australia, los grupos costeros con un reconocimiento muy limitado de sus derechos a los recursos continúan disfrutando de abundantes pescas de mariscos y pescan peces mayores. Los pueblos del interior pueden cazar animales salvajes o recolectar en arrendamientos ganaderos u otras tierras enajenadas. Y no son sólo aquellos que todavía viven relativamente cerca de su territorio los que participan; otros, quienes durante algunas generaciones han estado viviendo en pueblos y ciudades también viajan para juntarse a las familias en la recolección de alimentos del "monte". Llevar a los niños que habitan en las ciudad "al monte" es considerado como una de las mejores formas de ayudarlos a comprender su patrimonio cultural y fortalecer su sentido de identidad. Como la legislación del Título Nativo ha otorgado al pueblo un reconocimiento legal de su derecho fundamental a la ocupación previa, ha afirmado su confianza y lo ha convertido en más afirmativo cuando son confrontados por la oposición y el desagrado de otros terratenientes.

Desafíos para los cazadores/recolectores indígenas contemporáneos en Australia

El ejercer los derechos a usar los recursos naturales para propósitos de subsistencia no es de ninguna manera fácil. Plantea muchos desafíos, incluyendo la batalla por el reconocimiento del conocimiento indígena de los recursos naturales y para la aplicación de ese conocimiento como una parte igual al conocimiento científico de manejo de recursos; la continua contención sobre el ejercicio de los derechos indígenas que coexisten con los derechos de otros terratenientes y el tratar con las implicaciones de esto en términos de insistentes demandas no-indígenas debido a una ambigua definición de límites legalmente reconocidos; el problema de usufructuar alimentos del "monte" sustentablemente cuando los recursos disponibles son drásticamente afectados por la intrusión de animales ferales, invasiones de plantas y otras formas de degradación de la tierra; y el tratar de obtener un apoyo institucional apropiado para la promoción del usufructo indígena de los alimentos del "monte". Hasta ahora, la gente ha estado raramente satisfecha con las soluciones a estas batallas. Sin embargo, se han mostrado algunas iniciativas interesantes, tanto del lado indígena como del no-indígena. Esto plantea esperanzas de que mucho del invalorable conocimiento ecológico detallado de los indígenas australianos esté a disposición de las futuras generaciones. Algunas de estas iniciativas serán examinadas a continuación.

Reconocimiento del conocimiento ecológico indígena y uso del mismo en el manejo de recursos

La consciencia contemporánea del descubrimiento único del conocimiento indígena detentado por los pueblos indígenas de Australia refleja no solamente una mayor atención de los medios de difusión, sino también el énfasis ubicado en tal conocimiento como un importante factor de forjamiento de una conservación de una diversidad global y un realce del futuro uso de los recursos. Los logros han incluido una voz indígena en permanente expansión sobre estos temas, articulada mediante otras publicaciones (p. ej. Langton, 1998). La incorporación promovida por el gobierno del conocimiento indígena en el manejo de los recursos ha sido fragmentada, aunque los más conocidos parques nacionales conjuntamente manejados – Kakadu y Uluru Kata Tjuita en el Territorio del Norte- son ampliamente publicitados como modelos exitosos de colaboración entre terratenientes indígenas y científicos. Aunque algunos cuestionarían el éxito total de estos modelos, se ha producido una interesante colaboración en el manejo de recursos científica e indígena. El manejo colaborativo de incendios y de la fauna, incluyendo la planificación de la futura introducción de especies nativas, han sido incorporados en los planes de los parques nacionales conjuntamente manejados y ha aumentado el mutuo respeto por los diferentes enfoques a esos problemas. Otras iniciativas más recientes en el uso directo del conocimiento indígena sobre el manejo de recursos no han surgido del gobierno sino de organizaciones indígenas determinadas a usar tales conocimientos como una herramienta para el uso de la tierra en combinación con tipos más técnicos de información que son aplicados convencionalmente. El Consejo Central de Tierras (Alice Springs) y el Consejo Septentrional de Tierras (Darwin), por ejemplo, han sido pioneros de tales enfoques, con la entusiasta participación de los dueños tradicionales interesados en compartir su conocimiento e ideas con los científicos. Los procesos y planes resultantes, muy diferentes de aquellos provenientes del uso convencional de tierras, satisfacen

las necesidades de los terratenientes indígenas mucho mas ajustadamente (Mahney et al., 1996). El manejo de la fauna para las especies en peligro, como los "bilbies" (negreta con orejas como conejo) en el desierto central y "dugongs" y tortugas en torno a las costas septentrionales, brindan otro ejemplo de la integración del conocimiento ecológico indígena y científico (Davies et al., 1999). Los esfuerzos de este tipo tienen implicaciones para el continuo apoyo del conocimiento de los alimentos del "monte".

Percepciones conflictivas del uso de recursos

Hay conflictos relacionados con el reconocimiento del conocimiento indígena de los recursos en las percepciones indígenas y no-indígenas sobre cómo los recursos deberían ser usados. Los problemas fundamentales surgen frecuentemente entre conservacionistas y grupos indígenas, los primeros favoreciendo las prohibiciones totales de uso de recursos y los últimos favoreciendo un uso sustentable continuo para propósitos de subsistencia. Tales conflictos subyacen en los intentos de manejo conjunto de la "vaca marina" y la tortuga (ambos son presas altamente apreciadas); y el manejo del fuego, donde los pueblos indígenas favorecen una quema regular controlada para permitir la regeneración del hábitat natural, mantener el país sin "ensuciarse", y los terratenientes no-indígenas, especialmente los ganaderos, que consideran al fuego como "malo". No es de sorprender que tales conflictos son particularmente proclives a surgir cuando las dos series de derechos a los recursos se superponen. En 1997, por ejemplo, Murandoo Yanner, entonces Presidente del Consejo Territorial de Carpentaria en la parte norte central de Queensland, fue acusado de violar la Ley de Conservación de la Fauna de Queensland., cuando utilizó una forma tradicional de arpón para matar a dos jóvenes cocodrilos del estuario para alimento, en tierra sobre la cual el reclama el Título Nativo. No es de sorprender que este caso llamó la atención de los amplios medios de difusión. La Suprema Corte federal de Australia sostuvo la apelación de Murandoo sobre esta decisión en base a que, al tomar los cocodrilos, estaba ejerciendo o gozando de sus intereses y derechos al título nativo que estaban preservados por la Ley del Título Nativo. El caso de Murandoo no sólo ilustra el tipo de confrontaciones con las cuales se pueden enfrentar los indígenas australianos cuando ejercen sus derechos al uso tradicional de los recursos; también es una importante prueba de la Ley del Título Nativo, demostrando que los derechos consagrados en la Ley deben ser reconocidos por la legislación.

Las tierras de propiedad indígena pueden no ser inmunes a tales conflictos. Medio Ambiente de Australia, el departamento de la mancomunidad responsable de los temas ambientales, ha alentado recientemente el establecimiento de un nuevo modelo de áreas protegidas, el Área Indígena Protegida (IPA). El programa IPA, concebido parcialmente para hacer posible que Australia cumpla con sus obligaciones internacionales relativas a la conservación de la biodiversidad en todos los hábitats naturales, incluyendo aquellos únicos a tierras remotas de propiedad indígena, depende de la aceptación de los grupos indígenas con respecto a la conservación de su propio territorio. Esto tiene muchos atractivos, no siendo el me-

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nor la provisión de financiación más segura para las actividades indígenas de manejo de tierras que incorporan valores indígenas. Pero no sería de sorprender si ocurrieran algunos conflictos internos entre aquellos en favor de la conservación enfrentándose a aquellos que quieren seguir usufructuando alimentos del "monte".

Derechos a los recursos, límites y coexistencia

El tema de derechos de propiedad superpuestos, que ha sido iniciado por el Título Nativo, particularmente en relación a la preservación de tal título en arrendamientos ganaderos, tiene importantes implicaciones para el usufructo de subsistencia. El reconocimiento legal de derechos superpuestos ha forzado a la gente a procurar acuerdos negociados sobre cómo sus diferentes intereses pueden ser acomodados y las complejidades de este proceso han generado una amplia ansiedad no-indígena sobre la seguridad de la tenencia de sus arrendamientos y la seguridad económica que proviene de sus empresas. En algunos casos los ganaderos que, en el pasado, aceptaban informalmente que los pueblos indígenas de cuyos territorios se habían ejercido sus arrendamientos recolectaran alimentos del "monte", ahora están preocupados. Insisten en la necesidad de límites "fijos" o "cartografiables" – evidencia de su propiedad que puedan ser marcadas en líneas rectas visibles en el paisaje. Esto contrasta con la delineación indígena de "territorio"- límites "blandos", invisibles para aquellos que no tienen conocimiento y que denotan no tanto la propiedad sino un parentesco compartido con la tierra. Las actividades de caza y recolección están de acuerdo con estos límites más blandos y, como se sugirió antes, pueden aprovecharse de su flexibilidad, permitiendo a la gente recolectar alimentos en el territorio de su vecino en tiempos de necesidad. Tal escenario se presta a conflictos – los pueblos indígenas no ven ningún problema en recolectar en arrendamientos ganaderos o incluso en parques naturales, porque no están dañando al ganado o, si se comportan responsablemente, no están amenazando la conservación. Otros ven las cosas diferentemente.

La coexistencia es esencial para resolver este problema. Pero, con unas pocas excepciones, la mayoría de los ajustes necesarios para establecer tal coexistencia, han provenido de los pueblos indígenas quienes, a través de una historia de 25 años de demandas de tierra en el Territorio del Norte han probado ser muy cooperadores para alcanzar decisiones sobre cómo tratar este tema de los derechos compartidos. Los derechos compartidos a los animales salvajes que se mueven a través de límites fijos, un problema que surge en las regiones árticas de América del Norte y partes de África del sur, son menos significativos para Australia. Siendo un continente isleño esto es inevitable. Sin embargo, tales temas pueden surgir en relación a los mamíferos marinos, particularmente donde están afectados por diferentes sistemas legislativos nacionales. Las vacas marinas (dugong), por ejemplo, son cada vez más manejadas en Australia bajo sociedades que incluyen propietarios indígenas y científicos y conservacionistas no-indígenas, quienes juntos reconocen que la especie es sumamente amenazada, pero también aceptan que es un alimento muy apreciado. El usufructo sustentable, combinado con un monitoreo y una protección más efectivos son los más importantes principios de tales asociaciones (Davies et al., 1999). Pero a través del mar hacia Papua Nueva Guinea, al norte, no existe tal programa y los registros sobre la caza del dugong son probablemente mínimos.

Enfrentando la degradación

Los indígenas cazadores y recolectores contemporáneos también tuvieron que enfrentar la degradación causada por el mal uso del medio ambiente por parte de personas no-indígenas. Los comentarios sobre la escasez de animales nativos, o la polución de las fuentes de agua naturales por el ganado, son características de la mayoría de las expediciones cazadoras. Y existe un sentido general de que se ha permitido degenerar a la tierra – ha perdido variedad tanto en plantas como en vida animal, y es menos saludable debido a esto. Pero, como B. Rose (1995) ha documentado para Australia central, la gente no expresa esta pérdida como una degradación en términos no-indígenas, usando un lenguaje científico y técnico que se relaciona en gran medida con procesos ecológicos. Para ellos, su fracaso en llevar adelante sus responsabilidades con respecto al país, reflejando su desposesión, es igualmente importante.

El impacto de los animales ferales, un signo tan obvio de la degradación en toda Australia, plantea otras complejidades. Los administradores de tierras no-indígenas consideran generalmente a los animales ferales como malos. Pero varias especies de estos animales, como los conejos y el búfalo, se han convertido, en realidad, en muy útiles para los cazadores-recolectores. Los programas para erradicar a los conejos no han sido bienvenidos universalmente porque estos animales ya han reemplazado a especies silvestres que eran previamente importantes elementos de subsistencia. Los conejos son ahora "alimento del monte". El ganado salvaje, los asnos, camellos y cabras, en alguna medida son considerados ahora como parte del territorio indígena y la gente especula incluso ocasionalmente en sueños con bueyes o asnos. Las razones para esas diversas percepciones son a veces bastante inesperadas. En la remota región de Kimberley de Australia Occidental, por ejemplo, los programas de matanza de asnos eran contenciosos porque la gente era reacia a destruir un animal con un rol tan sagrado en la religión cristiana. Y, además, la gente no considera al asno pernicioso – "pertenecen al país, como nosotros". Otra cuestión difícil surge de la implementación de programas para reintroducir a especies nativas amenazadas a sus antiguos territorios. Los pueblos indígenas en las márgenes del desierto al oeste de Alice Springs comprenden la importancia de proteger a la negreta de orejas de conejo (bilby), una especie comúnmente reemplazada por los

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conejos, para que se puedan regenerar. Pero también están deleitados con el programa científico porque mejora sus futuras oportunidades de cazar al bilby como alimento.

Apoyo institucional para la caza y la recolección

Aunque el valor general de la caza y la recolección es ahora más ampliamente reconocido, las instituciones australianas, particularmente los departamentos gubernamentales, todavía tienen que expresar esto en términos prácticos. Las sugerencias para el desarrollo de proyectos de apoyo a la subsistencia, quizá modelados en el Programa de Seguridad del Ingreso del Canadá que apoyan la caza como un "estilo de vida", no han conducido a nada (Young, 1995). En cambio, el péndulo se ha volcado hacia el desarrollo de asociaciones, como los arreglos de manejo conjunto iniciados por el gobierno, establecidos para una creciente cantidad de parques nacionales y el programa de Área Indígena Protegida. Sin embargo, aunque los pueblos indígenas se han beneficiado de tales asociaciones también mantienen algún cinismo sobre los verdaderos motivos de tales programas y están preocupados sobre la realidad del grado de ingerencia que ellos reciben a través de los mismos. Algunas interesantes alternativas que tienen orígenes más locales incluyen algunas de las actividades de manejo de la tierra que son ahora practicadas a través de los consejos de tierra regionales y pequeñas organizaciones locales. Entre estos ejemplos se incluyen en Cape York, el programa de la comunidad de Kowanyama para controlar la pesca comercial no-indígena en su país mediante el establecimiento del manejo compartido de la pesca para asegurar la continua viabilidad de la subsistencia de los pesqueros fluviales y ribereños; y en Yirrkala en la tierra de Arnhem, el establecimiento de la Administración de Tierras de Dhimurru, una agencia concebida para controlar el uso recreativo no-indígena de las playas y las aguas costeras y al mismo tiempo trabajar intensamente en sustentar recursos valorizados por los terratenientes indígenas. La tortuga ha sido un elemento esencial en este proyecto y la colaboración científica e indígena en el manejo de la tortuga es uno los mayores logros.

Todos esos desarrollos son positivos. Sin embargo, todavía requieren un apoyo financiero. Persuadir a los gobiernos, a nivel mancomunitario y estatal de que provean fondos – no sólo fondos suficientes, sino financiación que sea entregada apropiadamente y otorgue a los administradores indígenas de recursos una responsabilidad importante para determinar cómo será utilizado el dinero- es todavía un desafío fundamental.

Usufructo de los alimentos del "monte": el futuro

Las predicciones para la supervivencia del profundo conocimiento que sustenta al usufructo contemporáneo de los alimentos del "monte" en Australia son relativamente optimistas. Los derechos a la tierra, junto con un creciente activismo indígena dentro de un marco mundial centralizado en temas de sustentabilidad han aumentado en gran medida la consciencia de la gente sobre la unicidad de estos recursos. Pero la contribución potencial del usufructo de los alimentos del "monte, no solo para los pueblos indígenas de Australia sino también para muchos otros, será socavada a menos que los conflictos sobre los derechos superpuestos a los recursos sean solucionados. La coexistencia – compartir la tierra -en vez de la exclusión- cerrar las puertas del territorio a la gente - tiene que ser la meta.

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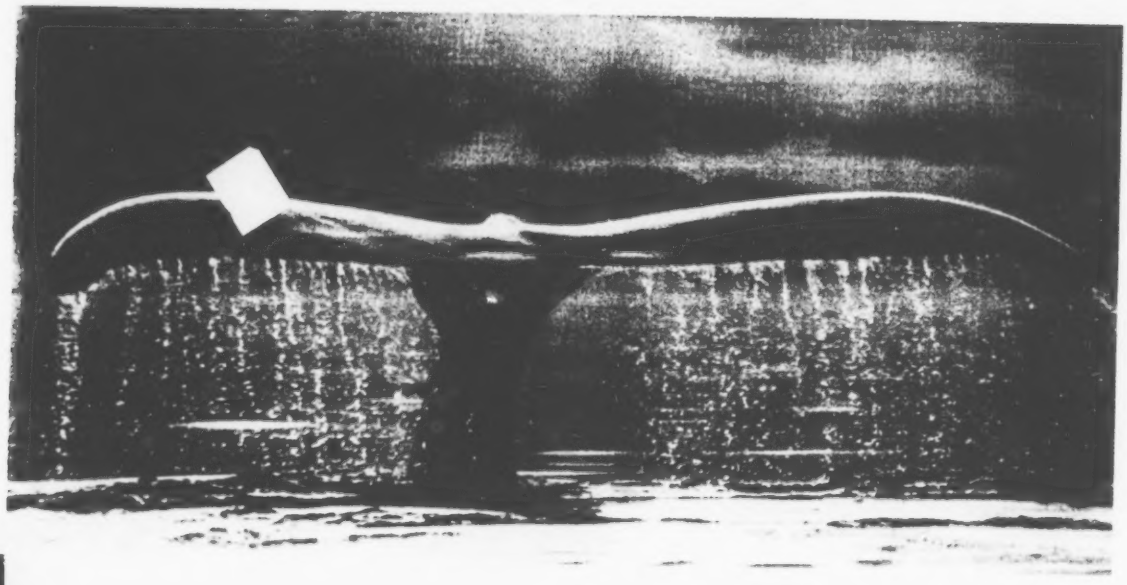

BALLENEROS INDÍGENAS Y EL CONOCIMIENTO DEL MANEJO TRADICIONAL DE RECURSOS

por Tom Mexsis Happynook
Presidente
Consejo Mundial de Balleneros

Mi nombre tradicional es Mauk-sis-a-noop, el cual significa el cazador de ballenas grises. Este nombre ha sido transmitido de generación en generación durante miles de años. Mi familia proviene de Cha-cha-tsi-us que forma parte de la Primera Nación Huu-au-aht, la cual forma parte del Grupo Tribal Nuu-chah-nulth. Estamos ubicados en la costa oeste de la Isla de Vancouver, en Columbia Británica, Canadá.

Mi familia ha sido una familia ballenera hereditaria en nuestra tribu durante miles de años, por lo que es importante destacar que durante 1.000, 3.000, 5.000 años habrá una familia ballenera Happynook, nunca tendrá fin.

Los nuu-chah-nulth

El Grupo Tribal Nuu-chah-nulth, (el cual incluye a la nación Makah que está ubicada en la punta noroccidental del Estado de Washington, (EE.UU.) ha ocupado plenamente, utilizado completamente y sustentado cuidadosamente nuestras tierras, aguas y recursos naturales durante miles de años. Nuestros gobiernos tradicionales están estructurados en función de nuestras tierras, aguas y recursos tradicionales y todos nuestros jefes hereditarios están criados desde su nacimiento para ser cuidadores de los mismos y tener la responsabilidad de asegurar que todo los que nos ha sido confiado estará allí para nuestro pueblo por siete generaciones a partir de ahora. Para lograr este objetivo nos consideramos parientes de todo lo que se encuentra en nuestro medio ambiente. Desgraciadamente, no hemos sido capaces de cumplir con esta obligación fundamental durante mucho tiempo debido a la opresión de nuestro pueblo, jefes hereditarios, gobiernos tradicionales y prácticas culturales. Durante muchos años han sido creadas muchas leyes canadienses para desmantelar a nuestros gobiernos hereditarios y asimilar a nuestro pueblo.

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Los nuu-chah-nulth no tenían un lenguaje escrito, en cambio las historias y responsabilidades de nuestros jefes hereditarios y sus familias están descritas mediante imágenes pintadas en grandes cortinas de lienzo. Las imagenes que encontrarán en las cortinas de los jefes balleneros hereditarios muestran claramente que las ballenas eran sumamente importantes para la trama cultural, espiritual, social y económica de nuestras sociedades. Estos mamíferos mayestáticos fueron considerados como uno de los más grandes obsequios del creador y fueron tratados como tales. Cuando una ballena se acercaba a la costa o encallaba en la playa se consideraba como un signo de que el creador nos consideraba favorablemente y nos correspondía utilizarla lo mejor posible.

Para los cazadores nuu-chah-nulth el quitar cualquier tipo de vida era considerado como la más sagrada responsabilidad que nos había sido confiada. Debido a esta responsabilidad mi abuelo me enseñó que los cazadores nuu-chah-nulth debían pagar con creces ese honor. Esto se aplicaba especialmente a los balleneros porque ellos cazaban los más importantes y mayores mamíferos de la tierra.

El sufrimiento de los balleneros tomaba diversas formas, hambre, fatiga, meses de preparación, pruebas de resistencia, pruebas espirituales, pruebas físicas, bañarse en agua helada, abstinencia y orar, por sólo mencionar algunas.

¿Por qué es importante la caza de la ballena para los nuu-chah-nulth?

De los muchos recursos que fuimos bendecidos en nuestra parte del mundo, la ballena es la más importante. Fue la fundación de la estructura económica de nuestras sociedades; nos proveía con valiosos productos para vender, comerciar y permutar. Era nuestro único Banco Nacional. La caza de la ballena también fortalecía y preservaba nuestras prácticas culturales las leyes tribales no escritas, ceremonias, principios y enseñanzas; todos estos elementos eran utilizados durante las preparaciones, la caza y la celebración. La caza de la ballena fortaleció y preservo nuestra espitirualidad mediante la disciplina que los jefes balleneros ejemplificaban en sus meses de baños, oraciones y abstinencias, ellos enseñaban a través del ejemplo. La ballena fortaleció nuestra relación con otras naciones y comunidades; la gente venía de todas partes, (lo que es ahora Columbia Británica y los EE.UU.), lo cual frecuentemente resultaba en relaciones y casamientos intertribales. La ballena fortaleció nuestras relaciones entre familias; todo el mundo estaba implicado en el procesamiento de la ballena, las celebraciones y las festividades y la talla de los artefactos que todavía pueden ser vistos en muchos museos del mundo. La ballena fortaleció las relaciones entre los miembros familiares; todos compartían y se beneficiaban del botín que la ballena proveía a la comunidad. Finalmente, fortaleció a nuestro pueblo físicamente; estudios clínicos conducidos en el Ártico canadiense han probado que el aceite de los mamíferos marinos es esencial

para la buena salud, el crecimiento normal y ayuda al desarrollo del cerebro infantil.

Desgraciadamente, la industria de la protesta está tratando de convencer al público que la carne de ballena está contaminada y nos matará. El hecho es, que los alimentos que los pueblos indígenas están comiendo ahora nos matarán más rápidamente que si volviéramos a nuestras dietas tradicionales. Lo que me inquieta es: si esta gente es verdaderamente ambientalistas/conservacionistas entonces ¿por qué no están gastando los millones dólares que solicitan para detener la polución que está afectando negativamente a nuestras fuentes tradicionales de alimentos? Pero el punto más importante que debe ser notado es que tradicionalmente no sufríamos de obesidad, alto colesterol, diabetes, artritis, reumatismo o entermedades cardíacas. Atribuimos esto al hecho de que ingerimos aceite de mamíferos marinos en toda comida. El aceite de mamífero marino es conocido por nuestros ancianos por ser una medicina para una vida larga, próspera y saludable, en aquellos días en que nuestro pueblo era saludable y nuestras comunidades también.

Princpios de Conocimiento Tradicional de Manejo de Recursos

Como niño tuve la fortuna de ser criado y enseñado por mi abuelo, 2 bisabuelas y 2 tías abuelas. Todavía soy enseñado por mi abuela que cumplió 85 años el 7 de diciembre de 1999. A ella le enseñó su abuela que falleció en 1958 a la edad de 108 años. Todavía estoy recibiendo enseñanzas de mediados de 1800.

¿Qué es lo que me enseñaron? Fui enseñado de que existe una ley natural de la naturaleza según la cual tenemos que vivir, que somos solamente un componente en la red de la vida; que no somos dominantes sobre el medio ambiente sino que en realidad estamos relacionados con el mismo; que tomemos sólo lo que necesitamos y utilicemos todo lo que tomemos; que todo está interconectado y cuando un componente del medio ambiente o ecosistema está sobreexplotado y luego protegido, el equilibrio está perdido; que los seres humanos tienen un muy importante papel a jugar en el medio ambiente que es ayudar a mantener el equilibrio mediante nuestra relación con el ecosistema; que una de las herramientas más importantes que tenemos a nuestra disposición para cumplir con estas obligaciones es la utilización respetuosa, responsable y sustentable de los recursos (1); y finalmente que debemos manejar la relación entre los seres humanos y el medio ambiente. Nuestras enseñanzas nos dicen que

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los seres humanos no pueden ser manejados ni tampoco los recursos naturales. Es la relación entre estas dos entidades que debe ser manejada.

Biodiversidad cultural

Cuando hablamos de prácticas indígenas estamos hablando en realidad sobre responsabilidades que han evolucionado en leyes indígenas no-escritas durante milenios. Estas responsabilidades y leyes están directamente ligadas con el medio ambiente y son un producto de la lenta integración de culturas dentro de su medio ambiente y los ecosistemas. Por lo tanto, el medio ambiente no es un lugar de divisiones sino más bien un lugar de relaciones, un ámbito donde la diversidad cultural y la biodiversidad no están separadas sino que de hecho se necesitan mutuamente para mantener el equilibrio requerido para la supervivencia tanto del pueblo como de los recursos naturales.

Los aspectos más importantes de la diversidad cultural y la biodiversidad son aquellos que integran al pueblo, (la relación humana), con los ecosistemas que se encuentran en su medio ambiente. Algunas prácticas indígenas tenían importancia cultural en el momento en que eran practicadas, (matrimonios arreglados, etc.) pero la mayoría de las prácticas indígenas como la caza de la ballena, la pesca, la caza tienen un rol ecológico mucho más profundo. Estas prácticas indígenas mantenían el equilibrio dentro del medio ambiente. Esto no trata de la moralidad de la práctica indígena, sino más bien de la práctica indígena de la responsabilidad con respecto a la biodiversidad. Es desde esta perspectiva que comenzamos a comprender que el ámbito de la diversidad cultural y la biodiversidad no están separados del medio ambiente sino en cambio conectados a través de nuestras relaciones con el ecosistema. Esto es diversidad bio/cultural, una práctica que ha sido desarrollada y nutrida durante milenios; en nuestra lengua "Hishuk Tsawalk", todo es uno, todo está conectado.

En el mundo actual, las leyes han sido creadas en torno al "aspecto de la relación humana". Desgraciadamente, estas leyes han establecido un sistema que nos deja fuera o nos hace creer que somos dominantes sobre la naturaleza. Hemos creado incluso un sistema de consecuencias para cualquier relación humana quebrada dentro de este sistema; prisiones, instituciones, etc. Por otro lado, los pueblos indígenas han vivido dentro de la "ley de la naturaleza". Es dentro de estos límites que nuestros sistemas de justicia, leyes indígenas no-escritas, sociedades y prácticas culturales son desarrolladas.

La industria de la protesta

Durante los pasados 30 años el movimiento ambientalista ha evolucionado desde individuos que estaban verdaderamente preocupados sobre el medio ambiente a una industria de la protesta que ahora constituye corporaciones multimillonarias que recolectan millones de dólares predando a la gente que no está consciente de las dinámicas de las culturas indígenas o comunidades costeras o de nuestra relación con nuestro medio ambiente y ecosistemas: diversidad bio-cultural.

Durante los últimos años, la industria de la protesta ha sido muy exitosa en la manipulación de los medios de difusión, las iniciativas de "lobby" y divulgación de desinformación. Han utilizado a los medios de difusión para retratar a los que usan a los mamíferos marinos como "bárbaros" sin ética, sin consciencia, mediante la fotografía, costosos anuncios periodísticos, apariciones en televisión y documentales. Como el Sr. Watson de la Sea Shepherd Conservation Society ha declarado en su libro Earth Force: an Earth Warriors Guide to Strategy "Un comentario de primera plana en el periódico del lunes importa mucho más que la revelación de incertidumbres reveladas en un pequeño artículo en el periódico del martes o del miércoles" (42).

Una de las estrategias más exitosas de la industria de la protesta hasta la fecha ha sido la cruzada hacia la "biodiversidad". Lamentablemente, la industria de la protesta ha convencido al público en general a sobrevalorar algunas partes del medio ambiente (ballenas, focas) y retirar los aspectos culturales, (relaciones humanas), de la biodiversidad. El resultado es un medio ambiente y ecosistema desequilibrado. Hasta que los aspectos culturales de los pueblos indígenas sean reinstalados no encontraremos el compromiso que nos acerque a estos temas.

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Consejo Mundial de Balleneros

El Consejo Mundial de Balleneros abrió oficialmente sus puertas como una organización no-gubernamental (ONG) internacional en febrero de 1997. La formación del Consejo Mundial de Balleneros fue una respuesta a la industria de la protesta. Reconocimos la necesidad de una organización internacional que pudiera reunir a los balleneros de todo el mundo bajo una organización, proveerlos con una voz unificada a nivel internacional, nacional y regional, educar al público en general y contrarrestar los mitos y la retórica que la industria de la protesta ha alimentado al público en general a través de la manipulación de los medios de difusión, las iniciativas de "lobby" y la divulgación de información errónea durante los pasados treinta años.

Como presidente del Consejo Mundial de Balleneros me encuentro en la posición desafortunada de atestiguar toda la injusticia que está siendo concentrada contra los pueblos indígenas y las comunidades costeras de todo el mundo. Lamentablemente, hay una serie de temas que estas sociedades y comunidades cazadoras-recolectoras enfrentan todos los días, pero el tema más incomprendido es la caza de la ballena.

La caza global de la ballena

En todo el mundo se pueden encontrar una gran, y diversa, cantidad de países, pueblos indígenas y comunidades costeras que dependen de los beneficios culturales, nutritivos y económicos que provee la caza de la ballena. En la mayoría de los casos sus tradiciones han existido durante milenios; en todos los casos, la preocupación por la continua salud de la comunidad está directamente vinculada por la preocupación de los balleneros por la continua salud de las existencias de ballenas. Los balleneros de hoy están a gran distancia de los balleneros industriales autorregulados de los pasados 300 años que sacrificaron las poblaciones de ballenas para alimentar la demanda mundial de aceite de ballena, ámbar gris y huesos. Estos mercados ya no existen. Hoy el tema de la ballena trata de la alimentación (seguridad alimenticia) y en muchos casos es la diferencia entre la vida y la muerte de las comunidades.

Hay muchas comunidades balleneras en países como Canadá, los Estados Unidos, Japón, Indonesia, Filipinas, Groenlandia, Noruega, Rusia y los estados caribeños que continúan beneficiándose de la caza sustentable de la ballena a pequeña escala. Algunos de estos países son miembros de la Comisión Internacional de la Caza de la Ballena (IWC); muchos no lo son porque saben que la IWC nunca satisfará sus necesidades culturales, económicas y nutritivas. Algunos han elegido incluso afiliarse a organizaciones regionales de manejo mas pequeñas como la Comision de Mamíferos Marinos del Atlántico Norte (NAMMCO), la Asociación de Cazadores y Tramperos Inuit, la Asociación de la Caza de la Ballena a Pequeña Escala de Japon y la Unión de Cazadores de Mamíferos Marinos de Rusia.

En todos los casos, ninguno de estos grupos se dedica al usufructo autorregulado de ballenas, en cambio, muchos son miembros de organizaciones regionales e internacionales y están, por lo tanto, sujetos a controles incluso mayores. No existe balleneros "piratas" ni tampoco ilegales. Pero la más importante distinción que debe hacerse, y comprenderse, es la diferencia entre la caza industrial autorregulada de la ballena del pasado y la caza comercial sustentable de la ballena de hoy.

La Comisión Internacional de la Caza de la Ballena

En 1946 fue creado el Convenio Internacional para la Regulación de la Caza de la Ballena (ICRW). De este convenio nació la Comisión Internacional de la Caza de la Ballena. Desgraciadamente, debido al intenso cabildeo de la industria de la protesta durante muchos años, la IWC ni siquiera se acercó a cumplir su mandato que es "asegurar la apropiada conservación de las poblaciones de ballenas y así posibilitar un adecuado desarrollo de la industria de la ballena" y "asegurar la conservación, desarrollo y óptima utilización de los recursos balleneros, tomando en consideración los intereses de los consumidores de productos balleneros y de la industria ballenera".

Incluso en vista a este mandato es importante poner en perspectiva a la IWC. La IWC sólo tiene jurisdicción sobre el 5% de todas las actividades balleneras. Existen más de ochenta especies de cetáceos; la IWC es sólo responsable de siete grandes cetáceos.

Tambien es importante notar que dentro del ICRW existe una provisión para la investigación científica. La IWC otorgó el mandato a la Asociación Ballenera de Japón para realizar investigaciones científicas en la Antártida. Desafortunadamente, la industria de la protesta hace creer a Uds. que "Cada año los japoneses sacrifican 440 ballenas visón en la Antártida". Lo que no les dicen es que es parte de una estimación conservadora de la IWC de 790.000 animales. Esto equivale a menos del 0.01% de esta población de ballenas.

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Japón

Los balleneros japoneses han sido maltratados, victimizados, abusados físicamente e injustamente retratados como el enemigo por la industria de la protesta durante largo tiempo, no obstante, sus tradiciones balleneras se remontan, intocadas, durante muchas generaciones.

Actualmente se cazan solamente 3 especies de cetáceos en Japón: 54 ballenas de pico de Baird por año, 100 ballenas piloto por año y 20 delfines Riso por año. Antes de la moratoria de la IWC sobre la caza de la ballena comercial también cazaban ballenas visón.

Durante más de 10 años la Asociación de Caza de la Ballena a Pequeña Escala del Japón ha estado solicitando a la IWC una cuota de alivio de 50 ballenas visón para sus balleneros costeros a pequeña escala y sus comunidades. Para poner esta solicitud en perspectiva están solicitando 50 ballenas de una población local de 25.000 animales. La parte triste de todo esto es que esta población particular de ballenas ha sido reconocida por el comité científico de la IWC como una población que podría sustentar fácilmente un usufructo de más de 200 ballenas por año. Los balleneros costeros están solamente solicitando 50.

Existe un aspecto comercial de las actividades balleneras japonesas, pero no debería ser asociado con las actividades industriales del pasado. Las 440 ballenas que son cazadas en la Antártida son vendidas en remates en los mercados locales y el ingreso generado ayuda a pagar los costos de la investigación científica que es realizada a nombre del comité científico de la IWC. Los otros cetáceos que son cazados son vendidos dentro de las comunidades donde son cazados. Alguna parte llega a otras partes del Japón, pero nada deja el país y la ballena entera es utilizada, incluyendo los órganos, cartílagos, piel, carne y grasa.

Noruega

Las historias noruegas indican que la población de Noruega ha sido ballenera durante aproximadamente 8.000 años. Es una de las más viejas culturas balleneras del mundo. Al comienzo de la moratoria de la IWC sobre la caza comercial de la ballena, Noruega presentó una objeción según las reglas del ICRW. Esto puso a las actividades balleneras de Noruega bajo el gobierno noruego.

La caza comercial de la ballena que se realiza en Noruega está muy lejos de ser "caza pirata de la ballena" y la industria de la protesta se ha ensañado con ellos. La caza noruega es muy pequeña. La cuota para la temporada ballenera de 1999 era de 753 ballenas visón pero debido al mal tiempo no llegaron a cumplir con la cuota. En vista de esto, el gobierno noruego disminuyó la cuota de 753 a 655 para la temporada del 2000.

Estos animales son cazados de una población combinada del Atlántico Norte de aproximadamente 184.000 animales. Esto equivale a menos del 0,5% de la población de las aguas noruegas.

Durante los últimos años Noruega ha acumulado aproximadamente 600 toneladas de grasa de ballena que está depositada en frío. A los noruegos no les gusta la grasa de ballena, pero como creen, muy seriamente, que la grasa no debería ser desperdiciada no tienen otra manera de desprenderse de la misma. La respuesta, por supuesto, es muy simple y lógica; a los islandeses les encanta comer grasa de ballena pero debido al Convenio para el Comercio Internacional de Especies en Peligro (CITES), el gobierno noruego no puede exportar la grasa de ballena a Islandia, así que sigue depositada en frío.

Islas Faroe

Las ballenas piloto han sido una parte integral de la cultura faroense desde el año 820 AC y han mantenido meticulosos registros de la caza de sus ballenas desde 1584. En su conjunto, estos registros proveen la documentación más comprehensiva a largo plazo de una población animal.

La caza de la ballena de Faroe es un asunto comunal. Cuando llegan las ballenas, se cierran las escuelas y los empleados tienen permiso para abandonar sus trabajos para participar en la caza que es para recolectar alimento para el invierno. La caza anual es de aproximadamente 1.000 ballenas de una población de 778.000, lo que equivale a menos de un 0,2% de la población.

Todos los faroenses tienen derecho a compartir el botín. Incluso aquellos que no comen ballena tienen incluso derechos a su parte que pueden llevar al supermercado local para vender. Una vez más, existe un pequeño aspecto comercial pero ciertamente no es de ninguna manera lo que la industria de la protesta quisiera que el público creyera.

Durante todo el tiempo de su caza de la ballena el pueblo de las Islas Faroe ha desarrollado el modo más efectivo de obtener su alimento. En años recientes los faroenses fueron convencidos por científicos para que adoptaran métodos alternativos en respuesta a las pre-

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ocupaciones planteadas por la industria de la protesta. Sin embargo, se determinó rápidamente que el método tradicional era el método más humanitario y fue reinstalado inmediatamente.

Debido a la ubicación geográfica, el clima, el aislamiento y el costo astronómico de importar alimentos, la caza de la ballena es esencial; la caza de la ballena es indispensable.

Groenlandia

Los inuit de Groenlandia han sido balleneros durante al menos 4.000 años. Durante el siglo XVIII y XIX (como otros pueblos indígenas balleneros) los inuit groenlandeses contemplaron a los balleneros industriales decimar sus fuente tradicional de alimento. La caza de la ballena de base comunitaria fue restablecida en la mitad del siglo XX cuando pequeños barcos pesqueros cazaron pequeñas cantidades de ballenas para el consumo local. En tiempos más recientes, ha emergido un caza de la ballena de aun más pequeña escala llamada "caza colectiva". Esta fue concebida para permitir a aquellos que viven en comunidades aisladas sustentarse a sí mismos y a sus comunidades, cultural, económica y nutritivamente. En la economía de subsistencia de los inuit de Groenlandia la carne y el mattak proveen dinero, el cual es esencial para la supervivencia de las familias que viven en las comunidades costeras.

Una vez más, la ubicación geográfica, el clima y el costo astronómico de la importación de alimentos hacen que la caza de la ballena sea esencial.

Rusia

La actual comunidad ballenera de Rusia consiste de los inuit de Chukotka que están ubicados en la región de Chukchi del noreste de Siberia. El reciente colapso de sus líneas establecidas de suministros han dejado a estos pueblos aislados y en serias dificultades. En una región donde dominan los inviernos severos, el hambre es una amenaza muy real y continua. Los únicos medios que tienen a disposición para la supervivencia de sus hijos y familias es recurrir a las tradiciones balleneras de sus ancestros.

En una reciente reunión del Consejo Mundial de Balleneros, un representante de la Unión de Cazadores de Mamíferos Marinos obtuvo el mandato de su pueblo de solicitar asistencia para la supervivencia de sus niños, familias y cultura. Lo que es significativo, y debe ser destacado, es que su solicitud no era de ayuda monetaria sino en cambio un alegato por los medios de reinstalar su estilo tradicional de vida, proveyendo a sus cazadores de mamíferos marinos con equipos para cazar alimentos. Ellos creen que esta es la única forma en que sobrevivirán como pueblo.

Estoy muy complacido en informar que durante la mitad de noviembre los inuit de Chukotka cazaron una ballena. Esto es importante porque ahora tienen alimento nutritivo para alimentar a sus niños y familias cuando otras fuentes de alimentos no son disponibles debido al severo clima y la incapacidad de importar alimentos.

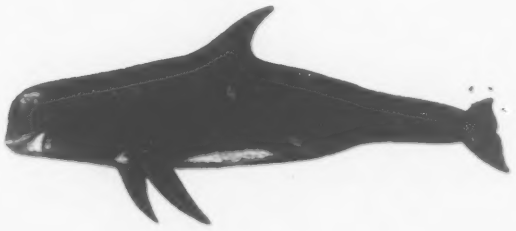
Filipinas

Hay más de veinte especies de cetáceos en las aguas Filipinas. Existe la caza tradicional de la ballena con arpón en una pequeña cantidad de comunidades en las partes sur centrales y suroccidentales de las Filipinas. Estas cacerías involucran a una serie de familias aldeanas y la carne es vendida en el mercado aldeano o entre las familias.

A la luz de los recientes aumentos dramáticos de ciertas especies de cetáceos, el gobierno filipino está actualmente revisando su prohibición de la caza de la ballena.

Indonesia

Los balleneros indonesios cazan la especie más abundante de cetáceos del mundo, la ballena "sperm". Su población está actualmente estimada en unos 2 millones. La caza es realizada por el método tradicional, donde los balleneros salen en pequeños botes de madera hechos a mano y usan arpones manuales. En 1998 se cazaron solamente 26 ballenas. Esto equivale a menos del 0.01% de la población. Para muchos pueblos indonesios que viven en estas comunidades costeras la caza de la ballena es la diferencia entre la vida y la muerte.



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El Caribe

La caza de la ballena limitada es una parte esencial de las comunidades que se encuentran dentro de Granada, Santa Lucía, la Mancomunidad de Dominica y Saint Vincent y las Granadinas. La ballena piloto de aletas cortas es el cetáceo más ampliamente consumido y es vendido en los mercados locales. Esta caza es pequeña y equivale a un promedio de 300 a 450 animales por año.

. En Bequia, una de las islas Granadinas, la caza de la ballena jorobada es una parte esencial de la vida isleña y se ha realizado durante muchas generaciones. En años recientes, la cantidad de balleneros se redujo a un hombre anciano. Esto dio a la industria de la protesta mucho beneplácito porque creyeron que cuando este anciano bequiano falleciera la caza de la ballena jorobada finalizaría para siempre. Para la sorpresa de la industria de la protesta el anciano caballero ha estado pasando su conocimiento a las generaciones más jóvenes quienes ahora están saliendo en las cacerías. La transmisión del conocimiento asegurará a la población local de un suministro confiable y abundante de alimento saludable.

En países, como los estados caribeños, donde la gente dependió del mar durante siglos, estas cazas limitadas no constituyen una amenaza para las poblaciones de ballenas, pero es esencial para el continuo sustento y salud de los individuos, familias y las comunidades en las que viven.

Tonga

En julio de 1999 un pescador se encontró con una ballena jorobada mortalmente herida. Inmediatamente lo notificó al departamento de pesquería de Tonga el cual consideró legal llevar a la ballena muerta a la ciudad capital donde los rumores sobre la ballena jorobada se extendieron como un incendio. En muy poco tiempo, la gente de Tonga llenó la costa y estuvieron esperando por una oportunidad de saborear otra vez un alimento tradicional; la carne de ballena jorobada, la grasa y el aceite. La última vez en que habían probado ballena jorobada había sido hace veinte años, era claramente evidente que no habían perdido el gusto por la misma.

Durante los últimos años el gobierno de Tonga ha estado recogiendo información para apoyar el retomo de la caza de la ballena jorobada en aguas de Tonga; este evento fue muy oportuno.

Islandia

Los islandeses pueden vanagloriarse de tener el más antiguo gobierno democrático del mundo: ha existido durante once siglos. En 1999 el gabinete de Islandia aprobó una resolución para reasumir la caza de la ballena lo más pronto posible. Islandia es otro país donde la ubicación geográfica, el clima y el costo de la importación de alimentos dictan que ellos viven de sus recursos tradicionales alimenticios que se encuentran dentro de sus aguas.

Estados Unidos de América

Aunque los Estados Unidos jugaron un enorme papel en diezmar a las poblaciones de ballenas durante los días de la caza de la ballena industrial ahora toman una muy fuerte posición contra la caza de la ballena a nivel internacional. Los EE.UU. nunca han dejado de ser una nación ballenera. Siempre han defendido sus obligaciones con los esquimales de Alaska y hace muy poco cumplieron finalmente sus obligaciones del tratado de 1855 con la nación Makah.

La caza de la ballena esquimal de Alaska es realizada desde nueve comunidades balleneras tradicionales. Una cuota actual de 51 ballenas de cabeza redondeada es cazada desde dos islas en el Mar de Bering y unas pocas aldeas costeras a lo largo de la costa de Alaska. También cazan ballenas beluga, ballenas grises y a veces ballenas visones si surge la oportunidad.

En el espíritu indígena de cooperación, generosidad y reparto, la Comisión Ballenera Esquimal de Alaska (AEWC), (una organización de co-administración/apoyo para los balleneros esquimales), acordó compartir su cuota IWC con los inuit de Chukotka, quienes en cambio acordaron compartir su cuota de ballena gris de la IWC con los makah. Tales vínculos entre distantes comunidades balleneras pueden parecer contemporáneos, pero en realidad expresan claramente la continuidad de las redes comerciales antiguas y los intercambios tecnológicos que han existido entre los pueblos indígenas durante milenios.

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Canadá

Los pueblos balleneros del Canadá incluyen a los inuvialuit del Ártico Occidental, los inuit del Ártico Oriental y las naciones Nuu-chah-nulth. Todos estos pueblos balleneros canadienses y sus comunidades tienen el derecho a cazar ballenas. El derecho está protegido por la Constitución de Canadá, la más elevada ley dentro del sistema legal canadiense.

Canadá tiene la 3ª posición en derechos balleneros después de las Islas Faroe y Groenlandia respectivamente. Esto ha creado alguna controversia en círculos internacionales, particularmente debido a las limitadas cacerías de los inuit canadienses de ballenas realizadas en el Ártico; sin embargo, la ciencia ha concluido claramente que esta caza limitada no afectará negativamente la población de ballenas de cabeza redonda.

A través de los años, los estados miembros de la IWC han aprobado resolución tras resolución contra Canadá y los Estados Unidos han ido tan lejos como para amenazar con sanciones económicas si la caza de ballenas de los inuit continua, pero tales amenazas deben ser ubicadas en su contexto. Como se expresó antes, los esquimales de Alaska también cazan este tipo de ballenas.

La negativa de Canadá de renovar su participación en la IWC demuestra claramente su creciente consciencia de la importancia central de los derechos indígenas y la efectividad de regímenes locales de manejo basados en la ciencia y el conocimiento tradicional de manejo de recursos.

Incorporación del conocimiento tradicional de manejo de recursos

Recientemente, los inuit han tomado el control de su caza de la beluga sin cuota. Este es un acontecimiento muy significativo porque durante los últimos años se han dicho tremendos disparates con respecto a la importancia del conocimiento tradicional de los pueblos indígenas sobre el manejo de recursos y su relación con el medio ambiente.

Si se examina minuciosamente se encontrarán maravillosas palabras y declaraciones consagradas en muchos convenios internacionales, pero usualmente eso es todo lo que son, "palabras". Por lo tanto, para los pueblos indígenas y las comunidades costeras hay varias cuestiones fundamentales que necesitan se encaradas y apoyadas: ¿existe un apoyo genuino en los foros nacionales e internacionales para los pueblos indígenas y comunidades costeras? ¿Los representantes que asisten a estos foros nacionales e internacionales hablan realmente y representan a los usuarios sustentables? ¿Participan los pueblos indígenas y las comunidades costeras de una forma apropiada? ¿Está siendo el conocimiento indígena tradicional de manejo usado en las tomas de decisiones? Si lo es, ¿quién lo utiliza? ¿Está siendo utilizado adecuadamente?

Como presidente del Consejo Mundial de Balleneros planteo estas cuestiones porque el ICW representa a individuos, organizaciones y comunidades de 25 países y estas cuestiones son inherentes para todos ellos. En vista de esto, el Consejo Mundial de Balleneros apoya decididamente y promueve el concepto de que: El conocimiento tradicional de manejo de recursos debe ser incorporado a la ciencia y técnicas modernas bien fundamentadas de manejo de recursos y administrado mediante regímenes regionales que incluyan a los pueblos indígenas y a las comunidades costeras en el proceso de toma de decisiones.

Para finalizar: es sumamente importante que todos sean respetuosos, comprensivos y apoyen a los pueblos cazadores-recolectores del mundo, nosotros tenemos mucho que ofrecer.

Nota

1 La población de ballenas grises de la costa oeste de América del Norte es un perfecto ejemplo de esa responsabilidad. El Departamento Canadiense de Pesca y Océanos ha confirmado, y otros científicos estadounidenses y mexicanos lo han reconocido, que en 1999 la población de ballenas grises había alcanzado la capacidad de su consecución de alimentos lo cual resultó en que aproximadamente 100 ballenas grises fueron encontradas muertas de inanición.

Tom Mexsis Happynook *es el Jefe Ejecutivo del Consejo de Recursos Naturales de la Primera Nación Huu-ay-aht, y participa en todos los aspectos de la salud, el bienestar y la preservación cultural de su pueblo, una de las Primeras Naciones Nuu-chah-nulth. Como presidente del Consejo Mundial de Balleneros está en la vanguardia del esfuerzo de los pueblos balleneros del mundo para asegurar sus derechos tradicionales que son tan importantes para la perpetuación de sus culturas individuales. Vive en la Isla de Vancouver, Columbia Británica (Canadá) y está casado con Katherine Ann. Tienen dos hijos y una hija. Comparten su hogar con la abuela de Tom de 85 años de edad.* ❑

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CAZADORES-RECOLECTORES EN EL GRAN CHACO: UNA MIRADA

Se llama Gran Chaco a una extensa zona de llanuras que se extiende a través de las tronteras de tres países latinoamericanos: Argentina, Bolivia y Paraguay. Su nombre, de origen quechua significa "lugar de caza", "coto de caza" o "batida de caza" para indicar el área donde habitualmente se realizaba esta actividad. El límite norte se traza a partir del sur del Mato Grosso en Brasil y hacia el este el sistema de los ríos Paraná y Paraguay, hacia el oeste las sierras subandinas y hacia el sur las llanuras pampeanas. Se trata de una llanura sedimentaria que presenta algunas lomadas anchas y chatas así como hondonadas por las que corren algunos cauces de agua, con zonas anegadizas formando lagunas, bañados y esteros. El clima de esta región es cálido tropical con elevadas temperaturas estivales (hasta un máximo de 50°C) y lluvias copiosas entre los meses de noviembre y abril. Sus principales cursos de agua son los ríos Pilcomayo, Bermejo y Salado del Norte. Los dos primeros se originan en las sierras bolivianas. El Pilcomayo tiene 1.100km de largo y una cuenca aproximada de 130.000km2 y el Bermejo 1.060km de largo y una cuenca de 94.000km2. El río Salado del Norte marca el límite meridional del Chaco y su recorrido es de 1.150km.

Por Morita Carrasco

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Se trata de una región rica en bosques y fauna nativa, si bien registra un marcado proceso de deterioro ecológico y desertización creciente debido al impacto de las poblaciones humanas no indígenas que en sucesivas oleadas han hecho uso del ambiente sin control o manejo racional alguno. En un estudio realizado en 1991 se pudo establecer que los indígenas allí asentados disponían de 28 clases de mamíferos (entre ellos, pecarí, corzuela, ciervo, venado, tapir, armadillos, jaguar, puma, lobo, oso hormiguero, roedores); 10 clases de reptiles; 17 clases de aves (avestruz americano, garzas, *charatas*, palomas, loro, rapaces) 21 clases de peces (sábalo, dorado, surubí, pacú, pejerrey, piraña, patí); 20 variedades de miel silvestre *(lechiguana, moro)*; más de 70 especies de vegetales silvestres, a lo cual habría que agregar 12 plantas cultivadas. En cuanto a las maderas, el Chaco se caracteriza por la abundancia de árboles de maderas duras tales como quebracho blanco, dos variedades de quebracho colorado, guayacán, palo santo, algarrobo y varias palmeras, además de otros árboles de madera blanda de enorme importancia para la vida indígena como lo son el palo borracho, el chañar y el mistol. Todos estos árboles se encontraban dispuestos en forma de bosques aislados como manchones entre los cuales se extendían vastas zonas de pastizales. Cañaverales, bovedales a la orilla del río Pilcomayo donde se levantaban los cercos de cultivo aborigen.

La rica y variada fauna y flora que contenía este inmenso bosque está hoy en peligro de extinción aunque sigue siendo el recurso seguro para la población indígena allí asentada. Adentrándose hacia el oeste el paisaje se vuelve cada vez más seco y pobre en suelos.

La imagen social colectiva que circula aun hoy en los tres países que abarca la región es la de una inmensa y misteriosa zona habitada por pueblos salvajes, indómitos, más cerca de la animalidad que la humanidad. Esta imagen es el resultado de una construcción histórica que tiene sus raíces en el encuentro entre indígenas y españoles acaecido en el siglo XVI cuando los últimos ambicionaban encontrar una ruta hacia Eldorado, montaña mítica donde se decía que abundaba el oro. Desde entonces la imagen de hostilidad y salvajismo no ha abandonado el Chaco. Durante toda la vida colonial hasta los inicios del presente siglo la zona fue escenario de numerosos intentos por conquistar la región y convertir a sus habitantes originarios en cristianos y trabajadores rurales. Los esfuerzos se concentraron primero en misiones religiosas y posteriormente en campañas militares que enfrentaron hasta vencer la resistencia indígena.

Entre los pueblos originarios se distinguen tres grandes grupos. Los pertenecientes a la familia Mataco-Mataguayo, integrada por *mataco (wichí), mataguayo, iyowaja o chorote* y *nivacklé o chulupí*. Los pertenecientes a la familia lingüística Guaikurú, integrada por *toba, pilagá, mocoví* y *abipón*. Y la integrada por los *lule vilela* a quienes algunos autores consideran desaparecidos. Sin embargo, según testimonios orales, familias *lule vilela* residen actualmente en la provincia argentina de Santiago del Estero.

Todos eran cazadores, pescadores, recolectores de vegetales y miel silvestre, ejerciendo una forma de explotación que podríamos caracterizar de "uso diversificado y complementario" de recursos naturales. En especial aprovechaban el fruto del algarrobo. En la época de lluvias cultivaban: maíz, porotos, sandía, melón, zapallo, etc.

La conquista del Chaco

En 1884 se inicia en Argentina la campaña militar de conquista del Chaco, con el objetivo de ocupación de las tierras y conversión del indígena en mano de obra rural. Concluidas las campañas se establece el sistema de reducciones aborígenes para atender a la subsistencia indígena durante el período en que su presencia en los obrajes o en las chacras no era necesaria. En las reducciones y misiones religiosa se completa el plan de sedentarización y conversión organizándose nucleamientos en forma de comunidad. A partir de este momento la autonomía del sistema socioeconómico indígena es destruida, pasando a estar de aquí en más vinculada a los procesos de expansión y retracción del capitalismo, aunque en última determinación su seguridad en cuanto a la subsistencia y reproducción social está aun hoy ligada a la ecología. En la región se desarrollan tres frentes de expansión económica: los obrajes, la ganadería, la industria (algodonera y azucarera, según las zonas).

Aunque comienza en décadas tempranas del momento republicano, la explotación forestal alcanza su máximo desarrollo en los primeros años del presente siglo. Los curtientes tánicos acaparan el interés de los capitales ingleses, franceses, alemanes y nacionales. Pero es la compañía inglesa The Forestal Land, Timber and Railways Company Limited la que desde 1906 ejerce la hegemonía absoluta en la explotación del quebracho. Durante el auge de la

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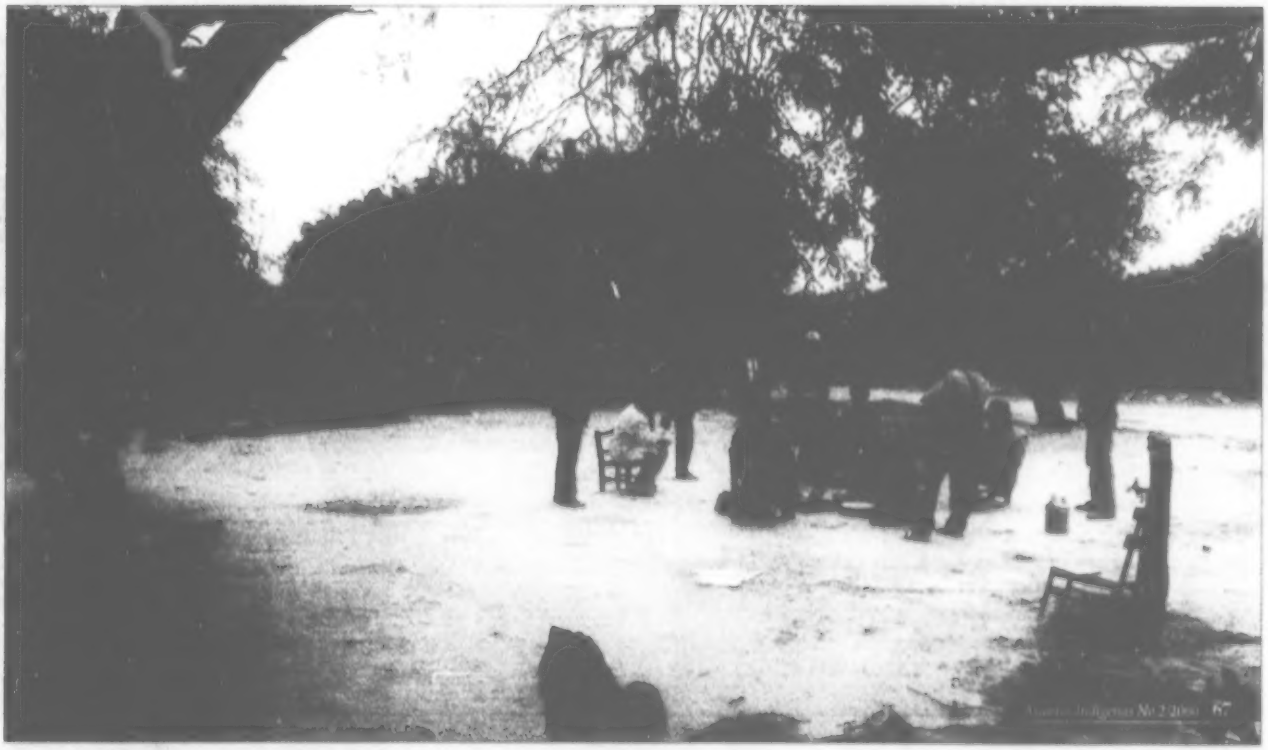


explotación forestal crecieron alrededor de los obrajes más importantes núcleos de población que en forma directa o indirecta vivían de la actividad. Estas poblaciones demandaban un alto consumo de carne lo que determinó el comienzo de la explotación ganadera en la zona.

La actividad ganadera chaqueña ha sido un factor de enorme gravitación en la definición de los territorios indígenas y el uso de los recursos naturales. Los ganaderos actuales, llamados criollos o chaqueños por los indígenas han ocupado el territorio en forma desordenada y desproporcionada. Por lo general se trata de puesteros de estancias vecinas a los asentamientos indígenas que de alguna manera lograron formar su propia tropa y se establecen libremente en cualquier área del monte, por lo general en las proximidades de las comunidades indígenas. El tipo de ganadería que desarrollan sin corrales o pasturas determina que el ganado vague libremente a cielo abierto destruyendo toda la vegetación que no alcanza a recuperarse, generando en consecuencia, inmensos peladares y la consiguiente salinización del suelo.

Durante décadas los indígenas se trasladaron para la zafra de la caña de azúcar y la cosecha del algodón. Sin embargo, su auge fue breve. Hacia los años 60 cuando las máquinas reemplazaron a los hombres, la esperanza de muchos inmigrantes y trabajadores temporarios decayó, acarreando más miseria y expulsión de mano de obra hacia zonas vecinas.

La ajustada síntesis de los procesos económicos regionales realizada hasta acá no puede obviar la particularidad de la economía indígena regional. Aunque tempranamente se vinculara con el capitalismo, la seguridad del pueblo indígena en cuanto a la reproducción de su vida social estuvo siempre asociada al monte y los ríos. Combinando y alternando el uso de los recursos naturales y el mercado han desplegado, no sin contradicciones, conflictos y penurias, estrategias de aprovechamiento que se achican cada año por la destrucción del ambiente chaqueño. Los meses secos del invierno -abril/mayo a agosto- son proveedores de abundante pescado en ríos, lagunas, esteros y madrejones. Agosto, septiembre y octubre suelen considerarse los meses más difíciles: el pescado se ha acabado y las lluvias que no llegan impiden la aparición de flores y frutos silvestres. La estación lluviosa, el verano -noviembre a abril- permitirá preparar las áreas para realizar cultivos. En estos meses se plantan y cosechan para el consumo familiar curcubitáceas, maíz, tubérculos, sandía y melones. Paralelamente se recolectan frutos silvestres, algarrobo, chañar, mistol, *sacha sandia*, poroto de monte y se cosechan diversas variedades de miel silvestre. Durante todo el año se cazan pequeños animales como el conejo y también aves como el avestruz, charata, loros, etc.

Estos usos tradicionales de los recursos, aunque brutalmente alterados por el devastamiento ecológico en la región, continúan en la actualidad combinados con la venta de fuerza de trabajo estacional en las fincas o colonias vecinas y con la más habitual de las actividades temporarias el "changueo" [1] en las localidades urbanas más cercanas.

Como resultado de los procesos de evangelización y sedentarización estos grupos están hoy mezclados aun entre aquellos con quienes antiguamente mantuvieran relaciones de rivalidad y antagonismo. Si bien las alianzas matrimoniales entre ellos no han sido infrecuentes como asimismo las alianzas coyunturales para luchar en contra de los conquistadores. Por su parte las actividades bélicas entre diversas bandas o grupos de parientes no estaban ausentes. Entre ellas las venganzas y recompensas se sucedían en el tiempo fijando de diversos modos una historia de vínculos políticos que sobreviven en la vida cotidiana de estos días.

Etnográficamente se trata de grupos más o menos pequeños que se reunían en grupos mayores ante la aparición de los pescados o el fruto del algarrobo. En esos momentos se formaban grupos de hasta mil personas entre quienes se formalizaban alianzas matrimoniales y

políticas. No existían jefes de agrupaciones más allá de los grupos residenciales a quienes se designaba con una palabra que hoy se traduce como jefe o cacique. Su poder descansaba básicamente en sus atributos personales, sobre todo la habilidad para restablecer el equilibrio de las relaciones intra o intergrupales; sus conocimientos tecnoambientales que le permitían conocer de antemano y con precisión dónde y cuándo hallar los recursos necesarios para alimentarse. Estos liderazgos se mantienen más o menos cambiados en la actualidad. Su poder reside aún hoy en la "buena palabra", "el consejo justo" que hay que tener en cada oportunidad. Cuando había algún problema el jefe de un grupo se juntaba con el del otro grupo y trataban de ponerse de acuerdo.

Breve panorama de la situación actual

La región chaqueña alberga la mayor variabilidad dentro de las sociedades de cazadores recolectores en Argentina, con características particulares y genéricas a la vez. Entre estas últimas es necesario destacar: amplia flexibilidad social que permite la fusión y fisión de sus unidades sociales; liderazgos no autoritarios, hereditarios o no; ausencia de nociones exclusivas de propiedad territorial; práctica del compartir, sobre todo alimentos, entre parientes; gran autonomía familiar y personal. En las familias, las decisiones económicas se toman en forma autónoma y existe una enorme cuota de libertad individual, -los padres no imponen restricciones a sus hijos y jamás los castigan- contrastando con la búsqueda del consenso como modalidad para la toma de decisiones colectivas ante los eventuales casos que se presenten. Las alianzas políticas son siempre coyunturales y duran mientras permanece la situación de que se trata, luego simplemente, se olvidan.

Luego de los procesos de colonización enumerados con las consiguientes consecuencias en cuanto a desplazamientos y relocalizaciones, en estos días se encuentran viviendo en asentamientos fijos, en áreas rurales y en barrios próximos a las ciudades. Pocos son los agricultores; algunos subsisten practicando su forma de vida económica tradicional, trastocada por el grave deterioro ambiental que se produjo en la región debido al irracional manejo de la explotación ganadera, la despiadada tala de bosques nativos y la falta de regularidad jurídica de los asentamientos.

Una considerable cantidad de jóvenes evita quedarse en sus lugares y, por lo general, busca emigrar, principalmente a zonas urbanas. Las sucesivas crisis en la economía agropecuaria regional dejaron sin empleo y hogar a miles de obreros que debieron emigrar a centros urbanos. Por influencias del proceso evangelizador surgieron las "comunidades" indígenas. Como suele decir un anciano *"la gente simplemente se fue juntando por el misionero"*. En ellas conviven familias o grupos residenciales de familias nucleares de diversas pertenencias étnicas. Los lugares que ocupan estas comunidades son parte de los dominios tradicionales de los grupos que allí nomadizaban, pero en su inmensa mayoría las tierras son de propiedad del estado. Por tanto, las comunidades se encuentran en una peligrosa situación de inseguridad jurídica. En la provincia de Formosa se inició en la década del 80 un proceso de entrega de títulos de tierras comunitarios, pero muy pronto los indígenas se dieron cuenta que las superficies entregadas eran insuficientes y están hoy reclamando su ampliación. Las leyes fundamentales del país y de las provincias chaqueñas reconocen la propiedad comunitaria de las tierras indígenas. Existen asimismo leyes indigenistas que prescriben la manera en que deben entregarse las tierras pero la situación real de las comunidades dista mucho de lo que manda la ley. Por tanto la mayor reivindicación de los pueblos indígenas en la región chaqueña se concentra en la lucha por la titulación de sus territorios tradicionales.

Como lo expresaba un viejo líder:

Nosotros estamos reclamando nuestra comida que es la fruta del campo. Ahora los mejores algarrobales los están alambrando y nos dejan los peladares donde no hay fruta para que ahí busquemos qué comer. Cada vez es más difícil. Más difícil que nunca. Por eso es que tenemos más apuro de que el gobierno nos de una buena solución. Una solución justa es lo que estamos pidiendo porque muchos gobiernos que han pasado quieren entregar la tierra, pero no es como pedimos. Nos quieren entregar el lotecito donde yo vivo y nada más. Y si aceptamos eso, entonces morimos.

El criterio para la delimitación no es uniforme, los gobiernos provinciales pretenden crear asentamientos rígidos con fronteras bien delimitadas en tanto las organizaciones indígenas toman como territorios indígenas aquellas superficies ocupadas o usadas tradicionalmente, incluyendo lugares considerados de importancia religiosa o ritual. Pero luego del largo proceso de conquista y colonización, esos antiguos lugares están hoy cambiados, disponiéndose las comunidades en los espacios que fueron quedando libres luego de la ocupación criolla. Y en una gran mayoría se trata de tierras degradadas por el sobrepastoreo del ganado, la tala indiscriminada de los árboles nativos, y las aguas de los ríos contaminadas por efectos del derrame de sustancias tóxicas. Por ejemplo en el chaco salteño viven 6.000 indígenas de cinco pueblos distintos: *iyojwaja, wichí, tapiete, toba, chulupí*. Ellos han formado la Asociación de Comunidades Aborígenes Lhaka Honhat cuyos objetivos son: obtener el título de propiedad de la tierra, recuperar el medio ambiente, vivir en paz y ser respetados. La respuesta gubernamental a su reclamo ha sido hasta ahora el silencio.

No obstante la Asociación prosigue con su programa de recuperación ambiental con el objetivo de demostrar que este ambiente desvastado podrá ser recuperado si se lo libera del ganado vacuno que hoy vaga por todo el territorio. Su sueño es reconvertir su ambiente tradicional en un lugar sustentable para todas las familias indígenas. Mientras esto ocurre, los hombres y mujeres de la Asociación continúan buscando su alimento en el monte y el río, recorriendo a veces, más de 30 kilómetros para encontrar algo que llevar a su casa. Así lo expresa un anciano toba: Antes que salga el sol ya se va el hombre con sus perritos.

Todo el día buscando, y si ha agarrado un bicho a las cuatro de la tarde, recién a la nochecita está volviendo con algo para comer. Y cuando llega se prepara. Los chicos contentos, ya hay comidita. Hay conejo, entonces ya se conforma el hombre porque hay comida para los chicos. Pescadito siempre hay, a veces algún día no hay. Hay días que llega de nochecita y no hay nada. Triste la familia. Entonces tiene que dormir con las tripas silbando y ver qué pasará al otro día.

Su esperanza de recuperación se basa en los resultados que hasta el presente han alcanzado en cuatro cerramientos ubicados en diferentes comunidades.

Otros cazadores del chaco están hoy viviendo en tierras que fueron vendidas a particulares por el gobierno local. Sobre ellos pesan la posible expulsión y la expoliación de los montes nativos. La lucha se concentra en lograr la propiedad de la tierra por la vía de la expropiación. Su camino es el derrotero de los lobbies en las oficinas de la Legislatura Provincial o el Congreso Nacional. Recientemente, en la provincia de Chaco, se hizo entrega a las comunidades de la Asociación del Pueblo Toba Meguesoxochí de un territorio de 140.000 hectáreas. Este territorio fue reservado para "los Toba el Norte" por decreto del Presidente de la Nación en 1924 y recién en el 2000 se concreta la adjudicación. Quizás sea un ejemplo de la importancia que para Argentina tiene la situación de las comunidades indígenas o de la lentitud con que se implementan las leyes.

De cualquier manera, los cazadores-recolectores de la región chaqueña viven empeñados en conseguir mejores condiciones de vida para ellos y las generaciones futuras. Aunque difieran con otros pueblos indígenas vecinos en las estrategias para concretizar sus sueños hace tiempo que vienen creando organizaciones que los representan. Desde la reforma de la constitución provincial en Chaco y Salta y las conquistas indígenas en Formosa, los miembros de las comunidades están asumiendo cada vez mayor protagonismo e involucramiento en las cuestiones relativas a la defensa de sus derechos y la participación en asuntos que directa o indirectamente afectan sus intereses. Sin duda los dirigentes enfrentan un inmenso desafío: dar satisfacción a las demandas coyunturales de mejora en las condiciones de existencia cotidiana y al mismo tiempo propender a la creación de un programa político que les permita articular reivindicaciones y demandas más allá de los planes y actividades gubernamentales, sin perder identidad y autonomía en la dirección de sus proyectos políticos.

* Universidad de Buenos Aires

Nota

1 Cualquier clase de trabajo de algunas pocas horas en el día: cortar pasto, barrer patios, limpiar zonas desmontadas. Por lo regular se remunera no en dinero sino en especies: ropa usada, un kilogramo de harina, un poco de azúcar, etc.

***Morita Carrasco** es antropóloga, profesora e investigadora en la Universidad de Buenos Aires. Entre otras obras ha escrito, en colaboración con IWGIA, "La tierra que nos quitaron" (1996 - documento No. 18; sólo en español) sobre los pueblos indígenas en Argentina y sus problemas territoriales.* ❑

Dr.
BWIRE
KAARE
1954-2000

Mi valioso amigo y colega, Bwire Kaare, murió el 1º de mayo en Dar es Salaam, Tanzania. Había estado enfermo desde Navidad.

Bwire era un hombre excepcional, muy admirado y respetado. Había nacido y se había criado en Tanzania rural, obtenido su grado de Bachiller en Sociología en la Universidad de Dar es Salaam en 1985, y a continuación su doctorado en 1989. Para éste realizó una investigación entre los *hadza*, cazadores-recolectores en el Norte de Tanzania, y me escribió para solicitar copias de mis ponencias, que le envié. A su vez él me envió su tesis de doctorado, que me impresionó, y lo alenté a venir a la Facultad de Economía de Londres para realizar otro doctorado.

En esta oportunidad, el tema se refería a otro grupo cazador-recolector de Tanzania, los *akie dorobo*. Luego de completar este doctorado en 1996, volvió a Tanzania y retomó su cargo anterior como Profesor Universitario en Sociología en el Instituto de Gestión Financiera de Dar es Salaam. Había sido recientemente nombrado Profesor de Antropología, en el momento de su muerte, en la Universidad de Dar es Salaam.

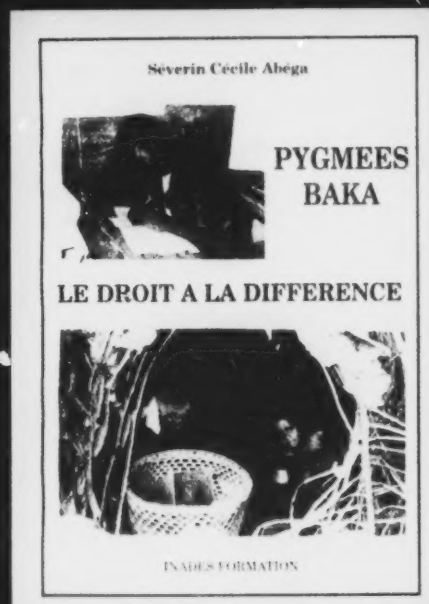
Bwire era al mismo tiempo dotado como académico así como altamente comprometido con la causa de los pueblos de bajas condiciones que estudiaba. Su tesis y sus publicaciones sobre los *akie* y sobre los *hadza* son trabajos distinguidos. Es generalmente inusual que los eruditos africanos trabajen entre grupos africanos de muy bajo nivel, pero Bwire era excepcional en este aspecto. Pienso que su investigación entre los *akie* fue la primera investigación de campo a escala completa realizada por un erudito africano entre el grupo de cazadores-recolectores o antiguos cazadores-recolectores del Este de África. Puede incluso ser la primera de tales investigaciones realizadas en cualquier lugar de África. Era verdaderamente un pionero, en su buena voluntad y, sin duda, entusiasmo en llevar a cabo tal difícil investigación.

Siempre estaba dispuesto a utilizar su conocimiento y sus habilidades en el interés de aquellos que estudiaba. Cuando se estaba considerando la legislación sobre derechos sobre nuevas tierras, Bwire se dirigió a los parlamentarios de Tanzania sobre la necesidad de reconocer los derechos sobre la tierra de los nómades de Tanzania, tanto cazadores-recolectores como pastores. Me dijo que tuvo gran dificultad en persuadirlos de los méritos del caso que estaba defendiendo. El año pasado organizó una reunión en Dar es Salaam para algunos *hadza* quienes estaban haciendo lobby sobre los derechos sobre sus tierras. El problema de la tierra era de central importancia para Bwire. Estaba avergonzado, me dijo, por la forma en que eran tratados los nómades en Tanzania.

El año pasado, él y yo fuimos invitados a hablar a los miembros del consejo de IWGIA en Copenhague sobre la situación de los *hadza*. Ninguno de los presentes en esa reunión probablemente olviden nunca el relato de Bwire de cómo algunos niños *hadza*, en su mayor parte niñas, habían sido llevadas por los predicadores de la Asamblea de Dios de Tanzania, para trabajar a más de cien millas de sus hogares como sirvientes casi sin paga y cuidadores de niños. Con profunda emoción Bwire nos contó cómo él consideraba este desgraciado episodio como una forma de esclavitud.

Bwire fue, creo, verdaderamente un buen hombre - valiente, honesto, franco, comprometido con su familia, amigos y colegas, incluyendo a los cazadores-recolectores entre quienes trabajaba. La muerte de alguien tan capaz y comprometido es una tragedia. Si él hubiera vivido, hubiéramos llevado a cabo mayores logros, tanto académicos como en el campo de los derechos humanos.

James Woodburn



PIGMEOS BAKA EL DERECHO A LA DIFERENCIA

Una reseña de libro

por Karen Biesbrouck

PYGMÉES BAKA;
LE DROIT À LA DIFFÉRENCE
Por *Séverin Cécile Abéga*
Publicado en 1998 por
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El personal de proyectos de desarrollo dirigidos a los cazadores-recolectores del sur de Camerún suspiran frecuentemente: "Nosotros les explicamos todo tan bien, pero ellos no entienden". El lema de este libro, por el contrario es "Nosotros no los entendemos a ellos". Por lo tanto, el principal objetivo de este libro es facilitar el establecimiento de un diálogo efectivo con los baka, se dirige a una audiencia de gente que trabaja en la administración, ONGs, la misión y organizaciones cooperadoras.

Abéga, el autor, es un antropólogo de la Universidad Católica de África Central (UCAC) y su propósito es aportar soluciones, o códigos, para el problema de la comunicación con los baka. Al hacerlo, se apoya en sumo grado en el departamento de Acción-Investigación y Capacitación de INADES de Yaoundé y aquellos lectores lo suficientemente privilegiados de conocer a Maryvonne Bretin-Winkelmolen, que dirige este departamento, reconocerán inmediatamente su influencia en todo el libro. El objetivo del proyecto baka de este departamento es permitir a los baka expresarse a sí mismos y ser comprendidos, ser reconocidos como una minoría y encontrar un camino hacia el desarrollo que tenga en cuenta su cultura. También es la misma organización que distribuye el libro.

Sobre el libro

Los primeros tres capítulos constituyen una etnografía en miniatura de los baka. Sin subestimar a su audiencia, Abéga expone una buena visión general de la información fácilmente accesible sobre los baka. Habla de la organización social y religiosa de los baka y de sus actividades económicas incluyendo su dedicación al intercambio y el comercio. Luego brinda una visión general casi completa de todas las actividades orientadas al desarrollo baka por el estado de Camerún y numerosas organizaciones no-gubernamentales. El punto central de estos proyectos radica en la sedentarización y el estímulo de actividades agrícolas, también en vista a reducir la dependencia de los baka de los agricultores bantú. La parte más interesante de esta sección es la descripción de Abéga de la forma en que el "desarrollo" se anuncia a sí mismo en la puerta de los baka: el camino – con diversas manifestaciones de accesibilidad -, cuidado de la salud al estilo occidental y el cristianismo.

Pasando a los que él llama "cultura baka", el autor, quien ya en su introducción admite honestamente que no existe ninguna fórmula fácil para una efectiva comunicación, elige tratar una serie de temas claves (espacio, tiempo, movilidad, ética laboral) que definitivamente juegan un rol en la interacción entre los baka y los elementos externos. En mi opinión, es una lástima que en este punto Abéga no incluye algunas citas baka apropiadas, o algunas descripciones de interacciones concretas. Esto habría hecho definitivamente este texto más vivo y familiar para su audiencia.

Comienza revelando la importancia del espacio forestal. El bosque es un área donde los baka se sienten en casa y a salvo, un lugar donde Dios los provee con los produc-

tos necesarios para su subsistencia. Sin embargo, hoy los cazadores furtivos y las compañías madereras también toman su parte del bosque, cambiando así fundamentalmente su carácter.

Luego, Abéga contrasta las percepciones cíclicas del tiempo de los baka con las lineares que comúnmente subyacen en la planificación de las agencias de desarrollo. Explica que las formas de cooperación baka son usualmente sólo temporarias, disolviéndose después del cumplimiento de esa tarea específica.

La movilidad espacial permite a los baka hacer uso de vastas áreas de tierras forestales, y su organización social igualitaria está diseñada para acomodarse a esto. En el proceso de sedentarización, la vida baka ha venido a alternar entre aquella en el campamento base y la de los campamentos de caza. Sin embargo, las agencias de desarrollo actúan generalmente basadas en la presunción de la permanencia de residencia y en la presencia de un líder permanente que pueda representar al grupo.

Aparte de cazar y recolectar para su supervivencia, los baka ofrecen su fuerza de trabajo para hacer trabajos pesados a sus vecinos agricultores y empresas comerciales. Frecuentemente, su remuneración es injusta y los baka, consecuentemente, y sin anunciarlo, se niegan a presentarse. Esto hace que los extraños valoren la ética de trabajo baka bastante negativamente. Incluyendo a las agencias de desarrollo que tienen que tratar con esta política baka "de asientos vacíos".

En realidad, el libro también puede ser considerado como una forma indirecta de promover el "enfoque contractual" como lo desarrolla la Formación-INADES. Este enfoque contractual, según Abéga, brindará un formato adecuado para la comunicación con los baka sobre temas de desarrollo. En el último capítulo, da algunas claves a grandes trazos sobre la actitud con la cual acercarse a los baka y a la fase de toma de decisión. También destaca que los agricultores bantú también tienen que ser tomados en cuenta, aunque sea para impedirles sabotear la cooperación entre la agencia de desarrollo y los baka. Pero ahí es donde acaba: las descripciones de trabajo de experiencias en el trabajo con este enfoque contractual faltan lamentablemente, y también las lecciones aprendidas.

¿Qué es lo que hace especial a este libro?

En general, aprecié la actitud de Abéga hacia los baka. Sus formulaciones y elecciones de tópicos muestran su compromiso, sin nunca ser pedante.

Sin embargo, me agradó particularmente el libro por sus interrogantes y comentarios más filosóficamente orientados. Permítaseme explicar esto dando un ejemplo. Hacia el fin del libro, Abéga indica cómo las agencias convencionales (estado, misión, ONGs) cada una juzga a los baka por aspectos de comportamientos humanos que son cruciales para los extranjeros: ser un ciudadano completo, un buen cristiano y tener una actitud abierta hacia el "desarrollo". Abéga luego toca el punto candente: " (...) parecen forzar a los baka a tomar una opción, haciendo comprender a los últimos que no tienen alternativa. Bien, estas opciones implican abandonar cosas que son familiares, abandonando parte de la identidad de uno y todo esto para llegar a algo nuevo sobre lo cual uno todavía no puede valorar las consecuencias. Una negación sólo llevará a una presión mayor".

¿Qué interrogantes fundamentales quedan después de leer el libro?

Es algo engañoso discutir un libro y luego señalar las interrogantes que no contestó, pero permítaseme hacerlo. En vista de los comentarios filosóficos de Abéga, yo tenía la esperanza de que surgiría con una reflexión sobre el marco dentro del cual deberíamos ver el libro y el enfoque contractual para el desarrollo baka. ¿Están los baka necesitados e insatisfechos? ¿Qué es lo que están haciendo precisamente los proyectos de desarrollo, incluidos aquellos del INADES? ¿No se ha convertido el complejo de los proyectos de desarrollo en una forma de negocio? Los proyectos más o menos se estorban los unos a los otros hoy para llegar a estos cazadores-recolectores y a veces la palabra "coordinación" parece ser apenas un eufemismo de "competencia". Los cazadores-recolectores bagyeli de la parte occidental del sur de Camerún están por volverse locos en este momento por todos estos proyectos, cada uno pidiéndoles en qué dirección se quieren desarrollar ellos mismos. Los bagyeli participan pacientemente en estas reuniones y algunos expresan sus opiniones una y otra vez. Cada vez hay esperanza de que este proyecto les otorgue algunos resultados tangibles, pero es usualmente seguida por la decepción. Puede bien ser que este no sea el caso de los baka, aunque este tipo de interrogantes siguen sin respuesta.

¿Alcanzó el libro su meta?

El objetivo del libro era crear una base para una mejor comunicación con los baka. Un lector espera entonces recibir información que le permita más o menos ponerse a sí mismo en una posición baka. Esta proyección es una precondición para una buena comunicación. Sin embargo, el texto de Abéga no logra retratar a los baka como gente de carne y hueso. El lector sigue siendo un extraño, pero quizá sea mejor de esta manera. La inescrutabilidad puede muy bien ser uno de los últimos recursos de los baka para mantener el control sobre sus vidas. Su libro puede bien ser titulado "El derecho a ser diferente", pero yo estoy convencida de que Abéga eligió conscientemente respetar el derecho de los baka a preservar sus secretos y privacidad.

Karen Biesbrouck *(Universidad de Leiden, Holanda) es una antropóloga que trabaja con los cazadores-recolectores en el sur de Camerún. Su tesis trata sobre las dinámicas del manejo forestal local en el contexto de la sedentarización.* ❑

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ASUNTOS INDÍGENAS

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IWGIA (Grupo Internacional de Trabajo sobre Asuntos Indígenas) es una organización internacional e independiente que se dedica a investigar la opresión sufrida por los pueblos indígenas

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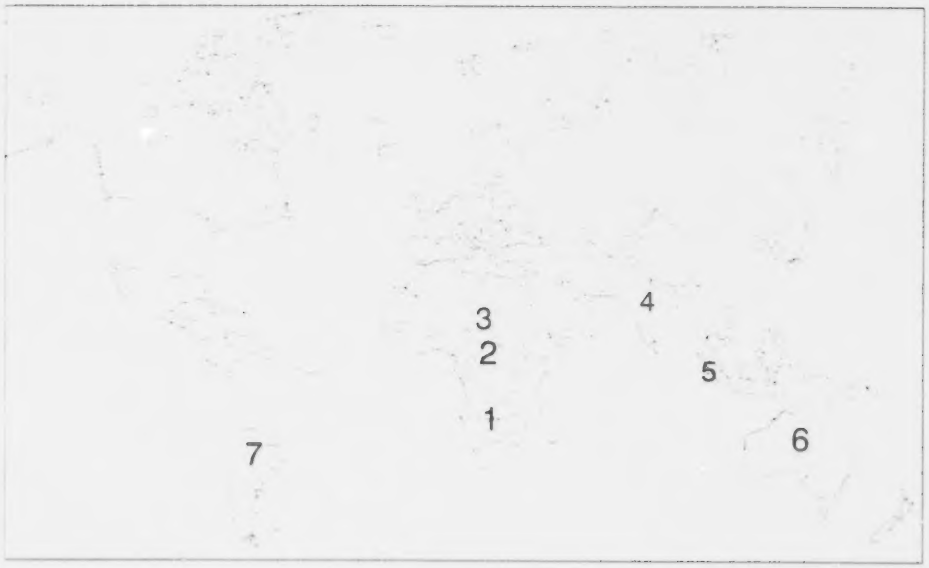

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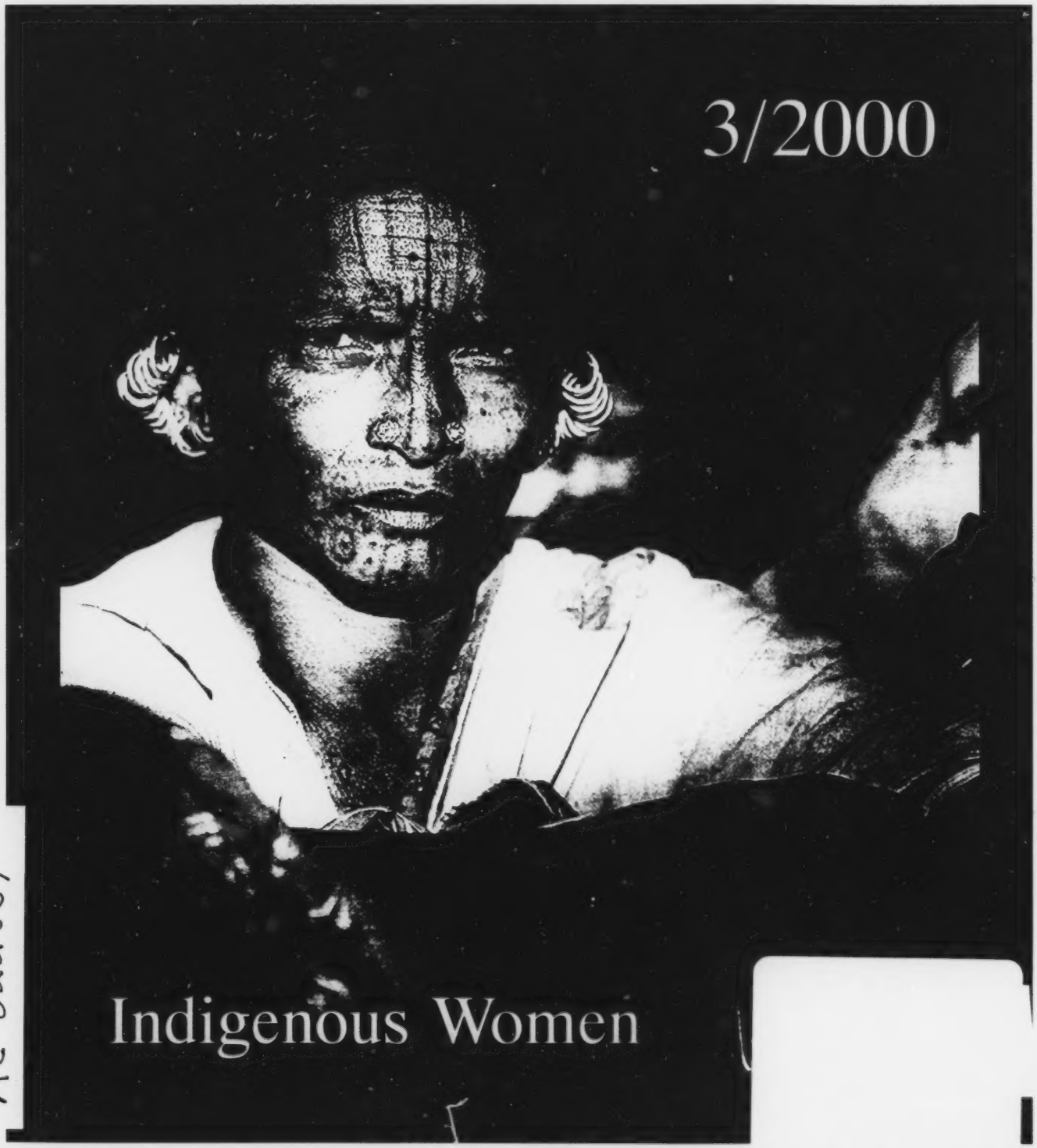
Indigenous Affairs

No.3 - July - August - September - 2000

International Work Group for Indigenous Affairs



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Cover: Kui woman, Kutdina, Orissa, India.
Photo: Roger Begrich

The Economic and Social Council (Ecosoc) of the United Nations took a historic decision on 28 July 2000 when the Council adopted a resolution to establish a "Permanent Forum for Indigenous Issues". Having taken this decision, the United Nations has come that much closer to realising one of the goals to be fulfilled within the International Decade of the World's Indigenous People. A prominent but outstanding goal is still the adoption of a universal declaration on the rights of indigenous peoples.

The Ecosoc resolution of 28 July was a landmark. However, to what extent this decision will cut an edge and make a difference to the world's indigenous peoples still remains to be seen. It is IWGIA's firm viewpoint that a Permanent Forum *might* have potential as a catalyst for the improvement of the rights of indigenous peoples worldwide. Under the umbrella of the United Nations' system, a Permanent Forum is the most promising institutional mechanism to which indigenous peoples will have access in order to enhance their social, economic and human rights. This is the reason why IWGIA, since the initial discussions concerning the Permanent Forum, has endorsed its establishment and put a great deal of resources into the process. This was done, first of all, by supporting indigenous peoples' own participation in the process in all its phases.

IWGIA is fully aware of some of the pitfalls of the Permanent Forum in its current form. In our eyes, the Permanent Forum is not an ideal construction – it is a compromise. Yet, it is, after all, the first body within the UN system where indigenous peoples are represented. It can never be perfect or ideal and indigenous peoples, IWGIA, other NGOs and supportive governments all have to make every effort to make it ideal. Furthermore, it must not be forgotten that the effectiveness of the Permanent Forum ultimately not only depends on the individual members of the Forum but also on the competence, credibility and legitimacy of those who want to make an impact on its work. Finally, the activities of the Permanent Forum will not be static, but processes that can be continuously improved.

The Permanent Forum offers unique opportunities for enhancing the human, economic, cultural and social rights of indigenous peoples – considering that indigenous organisations and others in support of indigenous rights will use the opportunity and the potential and look upon the Forum as a process. To this extent, the coming years will be extremely important. Before we enter into this discussion, it is worth looking at the historical facts and giving a short summary of the nature of the Permanent Forum.

The Permanent Forum will have 16 members, each appointed according to his / her personal capacity. 8 members are to be nominated by governments and elected by the Ecosoc Council and 8 (indigenous) members are to be appointed by the President of Ecosoc following consultation with indigenous peoples – and governments. The Permanent Forum will be a subsidiary and advisory body reporting directly to Ecosoc. It is thus a high level body such as, for example, the Commission on Human Rights. The meetings will be open in the same way as meetings of the Working Group on Indigenous Populations (WGIP) are. Although the WGIP has only five government-appointed members, hundreds of indigenous persons and others have participated in its meetings.

The mandate of the Permanent Forum is a broad one. It will *"discuss indigenous issues within the mandate of the Council [Ecosoc Council] relating to economic and social development, culture, the environment, education, health and*

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human rights". The Forum will provide expert advice and give recommendations to the Ecosoc Council; it will raise awareness of indigenous issues and coordinate activities between the various UN agencies; and it will provide and disseminate information to the public. The mandate of the Permanent Forum is broader than that of the WGIP and is more far reaching than human rights issues alone. This is extremely important at a time when environmental issues (the Rio process first of all) have given indigenous peoples wide opportunities to promote their interests in a much less politicised environment than the one characterised by human rights issues.

Certain governments have continuously raised the concern that a Permanent Forum will be too costly, and they may now try to restrict the financial resources to be allocated to this new body. In response, we must recall that, in 1995, the Secretary General of the UN, after a seminar held in Copenhagen, was requested to prepare a review of the existing mechanisms, procedures and programmes within the United Nations concerning indigenous peoples. The review clearly illustrated that indigenous peoples are essentially excluded from most of the UN programmes and, furthermore, it expressed the need for an integrative or coordinating mechanism within the UN for indigenous peoples. The creation of a Permanent Forum, however, will consolidate and make the work of the UN regarding indigenous peoples more financially efficient.

There are serious issues to be overcome before the Permanent Forum is established and can start its work in 2002 as planned. One is the appointment of indigenous members to the Forum. Although this is a major issue, it will hopefully not hamper the goal. Another problem is the location of the Forum Secretariat. The wish of indigenous peoples is to have an independent secretariat staffed by indigenous persons. Since the Forum is established directly under Ecosoc and covers many issues other than human rights, indigenous peoples have strongly emphasised that it should be independent and not located under the High Commissioner for Human Rights (HCHR). To what extent the UN bureaucracy will use the opportunity, maybe under the guise of saving money, to have the secretariat located under the HCHR, and thus indirectly try to restrict its competence, still remains to be seen.

The process leading to the point we are at today is perhaps interesting in itself but even more so if we want to have an idea of the prospects for the Forum – and for the future of the Working Group on Indigenous Populations.

The idea of a Permanent Forum for Indigenous Peoples within the UN was introduced by an indigenous group that participated in the UN Working Group on Indigenous Populations at the end of the 1980s. At that time, the indigenous representatives presented the need to create a Permanent Forum at the highest possible level within the UN system, a Forum that might deal with all issues affecting indigenous peoples such as human rights, the environment, development, the protection of their cultures, health care, education etc.

In 1993, the World Conference on Human Rights held in Vienna discussed the topic of the Forum and recommended that the UN General Assembly consider the establishment of a Permanent Forum for Indigenous Peoples within the UN. The Vienna recommendation was supported by the Commission on Human Rights and the Working Group on Indigenous Populations in 1994.

Since then, the issue of the establishment of a Permanent Forum for indigenous peoples within the UN system has been the subject of many deliberations and resolutions by the Sub-commission (the Sub-commission on Discrimination and Protection of Minorities), the Commission on Human Rights, Ecosoc and the General Assembly. Two workshops of experts were organised, in Copenhagen, Denmark (June 1995) and in Santiago de Chile (June-July 1997) respectively. Moreover, since the first workshop took place, indigenous organisations have expressed the need to initiate indigenous activities focusing on information, discussion and strategy development with regard to the establishment of the Forum, between indigenous organisations themselves at regional level. Four indigenous international conferences have been held in Temuco (Chile), Kuna Yala (Panama), Indore (India), and Arusha (Tanzania). The indigenous declarations arising from these conferences have been included both as official UN documents and as annexes in some of the UN meeting reports.

The outcome of this process was a resolution adopted by the Commission on Human Rights in 1998 to establish an ad hoc working group on the possible establishment of a Permanent Forum. This working group met for the first time in 1999, and at its second and latest meeting in February 2000 an agreement was reached among governments, and a final (amended) resolution passed by the Commission on Human Rights in April 2000 – and endorsed by Ecosoc in July.

When the Permanent Forum becomes a reality, it will be the outcome of firm endeavours by indigenous organisations, and subsequently carried through the UN system by interested and supportive governments. The UN system consists of states, and from an early point in this process a group of states and the chairman of the Perma-

nent Forum working group endorsed the establishment of a Permanent Forum and, sponsored by Denmark-Greenland, a resolution was drafted. In this process there were governments who either opposed the establishment of a Permanent Forum or tried to downgrade its location within the UN system and narrow its mandate to an extent that – if ever established – it would soon fade into oblivion. For two consecutive meetings in the CHR, the Cuban government tried to block the resolution. They did not succeed but they managed to limit the influence of indigenous peoples. The motivation of the Cuban government was highly dubious but became absolutely hypocritical when the Cuban government, in Ecosoc, spoke out against the Permanent Forum model in its current form. The reasons given by the Cuban government were absolutely sensible – the only problem was that the Cuban government had been instrumental in weakening the resolution leading to the final establishment of the Permanent Forum.

There is obviously a connection between the Cuban opposition to the Permanent Forum and the election of Miguel Alfonso Martinez as new chair of the WGIP. Although the conditions under which the change of chair took place were quite chaotic at the WGIP meeting in July 2000, and might do much harm to the WGIP, its bleak future is due to completely different circumstances.

Under the chairmanship of Mme. Erica Daes, the WGIP became an unequivocal success. Every year, hundreds of indigenous persons representing indigenous communities and organisations met in Geneva to present statements. For years they were listened to – by governments and indigenous peoples from all corners of the world. Indigenous networks were created, governments were lobbied, projects were negotiated and hopes were created among indigenous peoples that the international links would make an impact at home and improve the human rights situations. To this should be added the fact that the WGIP managed to adopt a Draft Resolution on the Rights of Indigenous Peoples – a major step in the process towards ensuring fundamental human rights as they relate to indigenous peoples.

In IWGIA's archives we have kept the hundreds and hundreds of statements by indigenous peoples as presented to the WGIP. These statements bear witness to the gross violations of human rights committed against indigenous peoples all over the world. The only good thing about all the appalling stories behind these documents is that, through the statements given to the WGIP, knowledge of the state of affairs of the world's indigenous peoples has become public – and sometimes action has been taken to improve their conditions of life.

However, with the enormous increase in the number of participants in the WGIP (800-1000 in the last two years) each presentation becomes buried in the huge pile of statements. The effect has been that governments have stopped listening. The many statements must also have overwhelmed indigenous peoples because they themselves have stopped listening. More and more participants only entered the meeting room when his/her number was called – and left the room immediately afterwards.

To some extent, the WGIP is drowning in its own success. Perhaps the time is ripe for a change in the structure and set-up of the "Review of Developments", the agenda item under which these statements are given. In our opinion, this could be one of the most important challenges to the Permanent Forum – to renew the "Review of Developments" structure without hampering the open access to the process by indigenous representatives.

Now five years into the "International Decade of the World's Indigenous People", the adoption by Ecosoc of the recommendation to establish a Permanent Forum on Indigenous Issues is the most significant and concrete step so far taken by the United Nations system to address the unique issues faced by indigenous peoples. We see this as the first indication of political will to put into practice the goals of the Decade, which the UN outlined as the strengthening of international cooperation for the solution of the problems faced by indigenous peoples.

INDIGENOUS WOMEN

This issue of Indigenous Affairs focuses on indigenous women: their situation, hopes and aspirations at the beginning of a new millennium. The articles reflect very clearly the fact that indigenous women face serious problems, ranging from extreme poverty and discrimination to horrific human rights abuses such as killings, torture and rape.

Many indigenous women suffer from double repression: as indigenous peoples they are oppressed by the dominant cultures and nation-states and as women they face repressive traditional practices in their indigenous and largely patriarchal societies. This kind of double repression is reflected in most of the articles, the majority of which are written by indigenous women themselves. In her article, Jorunn Eikjok gives a very clear and personal account of how she, as a Sámi woman, experiences this double repression, and of the major challenges that lie ahead.

Globalisation in the form of mining and logging operations, dam construction, tourism development projects, industrial agricultural schemes etc. increasingly encroach on

the lands of indigenous peoples. This impacts seriously on the lives of indigenous women, both in Asia, as described by Jill Carino, as well as in other parts of the world. Globalisation implies, among other things, dislocation from ancestral lands, marginalisation from traditional means of subsistence and increasing poverty in indigenous communities, and this has far reaching consequences for the well-being of indigenous women.

Violence committed against indigenous women is also alarming. Samar Bosu Mullick and Debbie Stothard give shocking accounts of gross human rights violations against indigenous women. These consist both of human rights abuses caused by State-sanctioned violence, as in Burma, where troops belonging to the military regime rape, torture and kill indigenous women in the conflict-ridden ethnic areas, and of extreme human rights violations taking place within the indigenous communities, as in Jharkhand, India where indigenous women are molested and killed when they are accused by their own families or community members of being witches.

The Nagas have also suffered for years from the brutality of the Indian security forces. However, as described by Shimreichon Luithui, Naga women are now playing a crucial role in trying to foster a genuine and long lasting peace in the area.

Indigenous women carry a heavy burden. They are very often responsible for the survival and well-being of their families and children under extremely difficult, discriminatory and poor conditions. In spite of this, indigenous women around the world are organising to improve their situation, as described in the articles by Jill Carino and Lucy Mulenkei. Indigenous women are also increasingly creating international networks to jointly address their common problems. In her article, Lea Nicholas-MacKenzie focuses on the international work of indigenous women and, despite the very harsh conditions which so many indigenous women live under, it is encouraging to learn that they are coming together in their local settings and in international fora to fight for their rights and for a better future. As Jill Carino so incisively expresses it in her article:

"Indigenous women remain among the poorest, most violated, most oppressed, most scorned and most exploited sectors of society. Their situation is a dark picture of human misery painted by the powers-that-be, who covet indigenous peoples' land and who would do anything to control power and profits in the global economy. The redeeming features in this picture are the struggles of indigenous peoples themselves who have persevered, despite the odds against them. Their struggle as indigenous peoples and as women for self-determination and equality is a ray of light for the future of humankind." ❑

NEW STRUCTURE OF IWGIA

IWGIA is now a membership organisation
In May of this year, IWGIA was established as a membership organisation.
The aim of this change is to give individuals who agree with IWGIA's general policy the opportunity to develop a closer attachment to the organisation. The intention is also to maintain and strengthen the existing network around IWGIA and to give members more direct access to relevant information and decision-making processes.

Annual Forum
Once a year, all members will be invited to a general meeting, the Annual Forum. At the Annual Forum, matters of relevance to IWGIA will be discussed. The Annual Forum has consultative status as an advisory body to the Board.
Members will receive the periodical *Indigenous Affairs*, the yearbook *The Indigenous World* and IWGIA's annual report.

The Board
IWGIA's board is elected by the members.

Membership Fee
Membership fee for the year 2000 is US$ 35.00.

Applications
Applications for membership should be addressed to the Board. In order to be approved, an application should be supported by at least two members of IWGIA and be approved by the Board. The Board may reject any application at its discretion.

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INDIGENOUS WOMEN

Create New International Organization

By Eve Nicholls MacKenzie

Participants at the International Indigenous Women's Forum on Beijing+5

The United Nations estimates that there are over 300 million Indigenous People in over 70 countries throughout the world. Despite this fact, Indigenous Peoples are often excluded from international processes. Indigenous women have begun to organize on an international level in order to ensure that the voices and concerns of Indigenous Peoples are heard. A recent United Nations meeting on women provided the backdrop for this historic work.

The most recent World Conference on Women was held in September 1995, and was known as the Beijing Conference. The United Nations held a Special Session of the General Assembly on June 5-9, 2000 (commonly known as "*Beijing+5*") in order to evaluate the progress of women since the Beijing Conference.

The 1995 conference resulted in a *Declaration and Platform for Action*, with commitments to women in twelve critical areas of concern. The Platform also contained a number of commitments for Indigenous women relating to poverty, health, violence against women, armed conflict, the economy, power and decision-making, human rights, the media and the environment.

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Indigenous Women on the edge of the New Millennium: International Workgroup

Indigenous women at the 17th Session of the United Nations Working Group on Indigenous Populations discussed the need to strengthen international relationships amongst Indigenous women, and to continue to develop the capacity of Indigenous women worldwide. CHIRAPAQ, an Indigenous Non-Governmental Organization (NGO) in Peru, offered to host an international meeting of Indigenous women in order to begin creating international networks and discussing issues of common concern.

The meeting, *"Indigenous Women on the Edge of the New Millennium: an International Work Group"* was held from November 24 – December 2, 1999, in Lima, Peru. The meeting included participants from Kenya, Algeria, Norway, the Philippines, Canada, USA, Costa Rica, Mexico, Panama, Bolivia, Ecuador, Nicaragua and Peru.

The work group focused on sharing information regarding various international initiatives, including the Organization of American States and the United Nations' Draft Declarations on the Rights of Indigenous Peoples, the Beijing+5 and Cairo+5 reviews, the Permanent Forum and the forthcoming World Conference on Racism in 2001. The participants also formulated recommendations for increased international cooperation regarding these and other initiatives.

Regarding Beijing+5, a key recommendation emerged that a meeting of Indigenous women should be held prior to the United Nations Special Session on Beijing+5. In order to achieve this, the participants agreed to create an *International Indigenous Women's Steering Committee*. The International Indigenous Women's Steering Committee was composed of the following interim members:

- Bernice See (Asia) Asian Indigenous Women's Network
- Lucy Mulenki (Africa) African Indigenous Women's Network
- Jorun Eikjok (Europe) Arctic Indigenous Women's Network
- Dr. Larissa Behrendt (South Pacific)
- Esther Camac (Latin America) Continental Network of Indigenous Women
- Fay Blaney (North America) Aboriginal Women's Action Network and the National Action Committee on the Status of Women
- Lea Nicholas-MacKenzie (Coordinator/North America) Assembly of First Nations

The role of the Steering Committee included dissemination of information to regional contacts; gathering information on regional priorities, statistics, local, regional and national organizations; assisting in the identification of representatives to attend the International Indigenous Women's Forum and assisting the representatives in identifying funding, gaining accreditation and registering for United Nations meetings.

International Indigenous Women's Forum on Beijing+5

The International Indigenous Women's Forum on Beijing+5 was held on June 1&2, 2000 in New York City. Over sixty Indigenous women participated in the Forum. The main objective of the Forum was to prepare Indigenous women to participate in the Beijing+5 review. The Forum included training and information sessions, workshops and strategy sessions.

Day one of the Forum was co-chaired by Vice-Chief Mary Jane Jim (Canada) and Rose Cunningham (Nicaragua), and the meeting was opened by Elder Lorraine Canoe. Dr. Larissa Behrendt (Australia) provided information on Indigenous Women, the United Nations and International Law, while Rose Cunningham provided an overview of the world conferences on women and Indigenous Peoples. Lea Nicholas-MacKenzie provided background information on the Beijing+5 Review, and Susana Fried from the United Nations Development Fund for Women informed the participants about the progress of negotiations and expectations for the forthcoming United Nations General Assembly on Beijing+5.

Carol Kalafatic from the International Indian Treaty Council shared information about the Draft Declaration on the Rights of Indigenous Peoples, while Vicky Tauli Corpuz (Philippines) and Tarcila Rivera (Peru) informed participants about the Permanent Forum on Indigenous Issues. Finally, Monica Aleman (Nicaragua) provided participants with an update on the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

The remainder of day one was spent in workshops on the following topics:

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- Education and training, power and decision-making and institutional mechanisms for the advancement of women
- Human rights and the environment
- Poverty and the economy
- Health and violence

The workshop participants reviewed earlier declarations, the Beijing Platform, and other relevant materials in order to formulate strategies with which to address the issues at a local, national, regional or international level and build upon existing commitments.

Day two of the Forum was co-chaired by Vicky Tauli Corpuz (Philippines) and Angie Akee (Australia). During day two, the workshop participants reported back to the larger group, and shared strategies with which to lobby participants at the United Nations General Assembly on Beijing+5. The remainder of the session was spent in discussions on formalizing the international network. It was agreed that the International Indigenous Women's Forum would continue as an information sharing body and confirmed the following members of the Steering Committee:

Lucy Mulenkei – Africa
Bernice See – Asia
ATSIC Commissioner Marion Hansen – South Pacific
Lea Nicholas-MacKenzie – Coordinator / North America
Fay Blaney – North America
Tacila Rivera – Latin America
Jorunn Eikjok – Europe / Arctic

The Steering Committee agreed to develop terms of reference and a mission statement to guide its work. The committee also agreed to focus on the autumn 2000 World March of Women and the 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance. Finally, the committee agreed to continue its outreach efforts in order to share information with as many Indigenous women as possible.

United Nations General Assembly on Beijing+5

The United Nations General Assembly on Beijing+5 resulted in a document entitled *"Further Actions and Initiatives to Implement the Beijing Declaration and the Platform for Action"*. Indigenous women who participated in the Beijing review process lobbied to ensure that Indigenous women would be included in the document.

Despite the lobbying effort, Indigenous women were specifically included in only six paragraphs in the section on *"Actions and Initiatives to Overcome Obstacles and to achieve the full and accelerated implementation of the Beijing Platform for Action"*:

100 e. Address the barriers faced by women, particularly indigenous and other marginalized women, in accessing and participating in politics and decision-making, including lack of training, women's double burden of unpaid work, negative societal attitudes and stereotypes;

103 g. Take concrete steps, as a priority and with their full voluntary participation, to address the impact of violence on indigenous women, in order to implement appropriate, effective programs and services to eliminate all forms of violence;

106 a. Consider adopting, where appropriate, national legislation consistent with the Convention on Biological Diversity to protect the knowledge, innovations and practices of women in indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;

126 d. bis. Undertake appropriate data collection and research on indigenous women, with their full participation, in order to foster accessible culturally and linguistically appropriate policies, programs and services;

128 h. With the full voluntary participation of indigenous women, develop and implement educational and training programs that respect their history, culture, spirituality, languages and aspirations and ensure their access to all levels of formal and non-formal education, including higher education;

129 d. Apply and support positive measures to give all women, particularly indigenous women, equal access to capacity-building and training programs to enhance their participation in decision-making in all fields and at all levels;

Over 100 Indigenous women at the United Nations General Assembly on Beijing+5 attended a daily Indigenous Women's Caucus meeting which was organized by the Steering Committee. The caucus developed a declaration (printed below), which reaf-

Participants at the meeting "Indigenous Women on the Edge of the New Millennium: an International Work Group" in Peru 1999. Lea Nicholas-MacKenzie is third from the right. Photo: Diana Vinding

firmed the Beijing Declaration of Indigenous Women, the right to self-determination of Indigenous Peoples, our connection to land and territory and the balance that is required to ensure the well-being of our peoples. Recognizing the effects of colonialism and neo-liberal economic policies, the participants developed fourteen broad recommendations relating to the issues of:

1. the UN Draft Declaration on the Rights of Indigenous Peoples
2. the term "Indigenous Peoples"
3. the Permanent Forum on Indigenous Issues
4. The World Bank, the International Monetary Fund and the World Trade Organization
5. Commitments to Indigenous women in the Beijing Platform
6. International instruments
7. Patenting of life forms and intellectual property
8. Poverty
9. Education
10. Decision-making
11. Health
12. The World Conference on Racism
13. Displacement of Indigenous Peoples
14. The Beijing Declaration of Indigenous Women

Indigenous women also participated on panels organized by the Asian Human Rights Council and the Conference of Non-Governmental Organizations (CONGO), spoke to the media at press conferences and interviews, lobbied governmental and non-governmental representatives, met with other caucuses, such as the youth caucus and the various regional caucuses and participated in the International Coordinating Committee of CONGO.

The important achievements at the United Nations General Assembly on Beijing+5 were that the profile of Indigenous women and their concerns were significantly raised, the networking process was begun and relationships amongst Indigenous women throughout the world were solidified. The challenge will be to maintain the momentum, expand the Indigenous women's network and publicize the International Indigenous Women's Forum.

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DECLARATION OF THE INTERNATIONAL INDIGENOUS WOMEN'S FORUM

On the Occasion of The Special Session of the General Assembly at the United Nations On Beijing+5

We, the women of the International Indigenous Women's Forum, have come together in New York in order to assess our situation five years after the Beijing Platform for Action. We reaffirm the Beijing Declaration of Indigenous Women, which emerged from the Indigenous Women's Tent in Huairou in 1995. The analysis, issues and proposals in the Declaration are still relevant and must be addressed.

Affirming that, as Indigenous Peoples, like all Peoples under international law, our inherent right to self-determination guarantees our ability to freely determine our political status and pursue our economic, social and cultural development. This includes our collective rights to land and territory, natural resources, biodiversity and intellectual property.

Affirming further that, as Indigenous Peoples, our lands and territories are inextricably linked to our survival, development, identity and self-determination.

Reaffirming also that, as Indigenous women, we recognize that the well-being of our Peoples is dependant upon the past, present and future generations, the balance between men and women, the experience and knowledge of our elders and the energy of our youth.

Recognizing that, five years after Beijing, Indigenous women continue to experience extreme and disproportionate poverty, and face a decline in health, education, social, economic, cultural and political conditions. This is due to factors such as racism, colonialism, neocolonialism, macroeconomic policies promoting trade and financial liberalization, privatization, deregulation and displacement.

Recognizing also that Indigenous women face an increase in violence and trafficking of women and girls. Militarization and armed conflict have also increased, leading to internal and external displacement, increased poverty and violations of human rights, particularly violence against Indigenous women.

Considering that the exploitation of natural resources in Indigenous Peoples' lands and territories, and the dumping of nuclear waste, and toxic and hazardous materials, infringes upon the human and collective rights of Indigenous Peoples by causing displacement and endangering lives.

We therefore recommend the following:

1. As the midpoint of the International Decade of the World's Indigenous Peoples has passed without seeing the adoption of the Draft Declaration on the Rights of Indigenous Peoples, we urge member States to adopt it in its present form without further delay.

2. We urge governments and the United Nations to consistently use the term "Indigenous Peoples" in all international instruments.

3. We strongly urge UN member States to continue their commitment, as expressed by the Commission on Human Rights at its 56th Session, to establish a Permanent Forum on Indigenous Peoples' Issues, as an effective mechanism for addressing Indigenous Peoples' concerns, with the full and equal participation of Indigenous Peoples and their organizations.

4. Recognizing the devastating impact of multilateral organizations and lending institutions upon the socio-economic conditions of Indigenous Peoples, the World Bank should not be involved in shaping the social development policies and programs of governments. Likewise, the International Monetary Fund should not be involved in the macroeconomic policies of governments. Finally, the World Trade Organization should recognize the rights of Indigenous Peoples to their territories and resources.

5. We call upon governments to honor the commitments made to Indigenous women in the Beijing Platform for Action without further delay. We strongly recommend that the lives and experiences of Indigenous Peoples be taken into account when implementing the Platform for Action.

6. We call for the ratification and implementation of all international instruments that relate to the lives and conditions of Indigenous Peoples, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention on the Elimination of Racial Discrimination (CERD), and the Convention on the Rights of the Child (CRC).

7. We call for an immediate moratorium on the patenting of all life forms, traditional knowledge and all forms of intellectual property.

8. Recognizing the drastic poverty levels faced by Indigenous Peoples, including Indigenous women, we urge that the eradication of poverty amongst Indigenous Peoples be made a priority.

9. We urge governments to implement, in full partnership with Indigenous Peoples, formal and informal education programs that respect our history, languages and cultures.

10. We urge governments to give a commitment to ensure that Indigenous women fully participate in decision-making at all levels, so that we are able to actively and effectively participate in policy decisions that affect our Peoples.

11. We call upon governments to ensure that Indigenous Peoples have full access, without any discrimination, to all medical institutions, health services, and medical care, including traditional medicines and health practices.

12. We call for the full and equal participation of Indigenous Peoples in the process leading up to and at the World Conference on Racism, Xenophobia and Other Forms of Discrimination, including mechanisms and resources to ensure our participation.

13. We urge governments, agencies and institutions to address the issue of displacement of Indigenous Peoples due to development, aggression, armed conflict and other factors. This would include conflict resolution and reparations, with the full participation of Indigenous Peoples.

14. We strongly urge that governments review and address the proposals and demands contained within the Beijing Declaration of Indigenous Women, which to date have not been addressed.

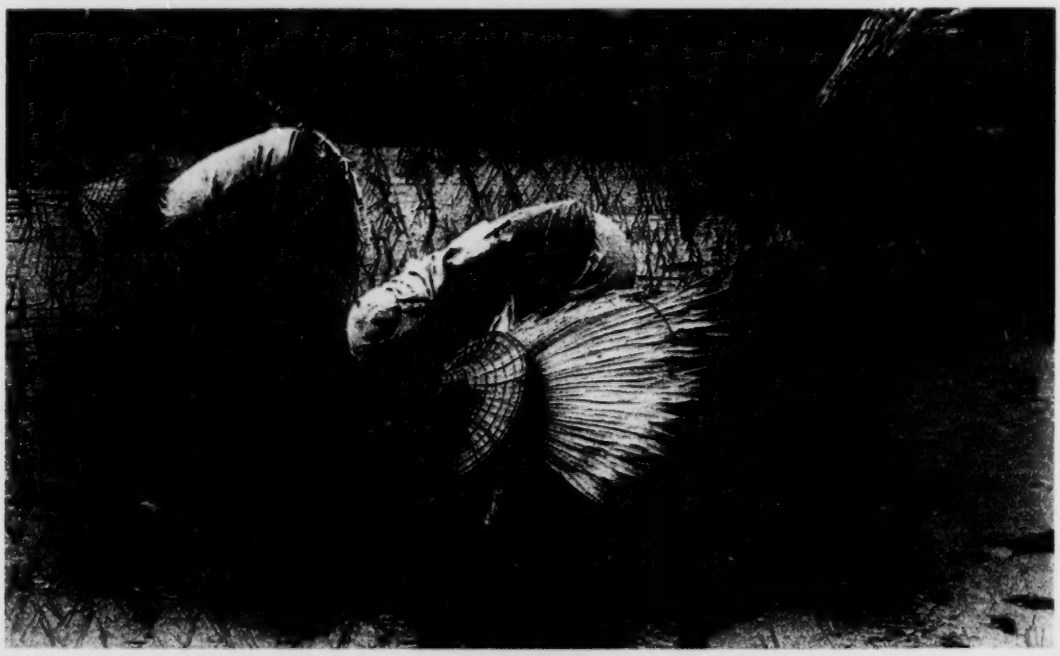
Adopted by the participants of the International Indigenous Women's Forum on June 9, 2000 in New York City. ❑

PIECING TOGETHER A PICTURE OF ASIAN INDIGENOUS WOMEN

By Jill K. Carino

The stories of Asian indigenous women's lives and problems are as varied as they are numerous. Written accounts of indigenous women in Asia are found in a number of sources. These include news and feature articles, proceedings of conferences on women where indigenous women themselves are able to tell their own stories, special issues on women in indigenous peoples' publications, and other assorted books and articles. In most publications on indigenous peoples, indigenous women are hardly ever mentioned as a special sector. Even publications on the situation of women in general seldom tackle the added dimension of indigenous women. Available materials on indigenous women are in no way as substantial or comprehensive as we would like. However, they are sufficient for us to be able to piece together a broad picture, or to come up with an initial overview, of certain patterns and trends that draw together the complex situations of indigenous women in Asia.

It is clear from the start that Asian indigenous women occupy an extremely disadvantaged position in society. They are victims of multiple forms of oppression, because they are indigenous and because they are women, added to the fact that the majority of them are farmers or workers belonging to the most exploited classes in society. In



Kalinga women planting rice, Cordillera, the Philippines. Photo: Christian Erni

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Chakma woman and child, returned refugees, Chittagong Hill Tracts, Bangladesh. Photo: Christian Erni

Taiwan, for instance, indigenous women are called "third class citizens" because of their inferior status in relation to both men and non-indigenous people, that is, those belonging to the dominant Han culture in Taiwanese society.

Women who are also indigenous people experience discrimination and racism from the dominant culture and nation-state. On the one hand, their status as indigenous people is not recognized by the state within which they find themselves. On the other hand, it is their distinctiveness as indigenous people that is used by government policies as justification for assimilation, integration, resettlement, transmigration, or militarization. These policies are employed not only as a means of erasing their existence as indigenous peoples but also to dispossess them of their rich ancestral land — the basis of their culture and survival. In the most extreme cases, such state policies lead to cultural genocide or ethnocide, as in the case of the indigenous peoples of Nagaland, the Chittagong Hill Tracts and Burma.

In addition, indigenous women live in traditional and largely patriarchal societies, which dictate that women are subordinate to men. From birth, females are considered inferior to males. An indigenous woman is viewed as being there to bear children, to serve her father, her brother and later her husband and her family, including her in-laws in some cases. In most instances, women do not have any property rights or, if they do, they cannot inherit these rights. In the few matriarchal or matrilineal societies, such as the Lahu and Karen in Thailand, the hill tribes of Cambodia or the Amis in Taiwan, the women generally have more control over property, resources and production, and there is a fairer division of labor between the sexes. However, they eventually lose their relatively egalitarian status as a result of the erosion of traditional indigenous culture. Conversion to Islam or Christianity has further weakened the position of women and reinforced their subordinate status to men.

In both indigenous and state-imposed socio-political structures, indigenous women are often excluded from roles of political leadership. They are seldom consulted on political matters concerning the community, and far less involved in actual decision-making, which is usually done in structures or institutions dominated by men, such as the traditional village council. Women are not allowed to hold positions of leadership at the village level, as these are usually passed down from father to son.

Asian indigenous women play a primary role in production in their largely subsistence agricultural communities. They engage in swidden farming or plough cultivation in settled, irrigated or terraced fields, bearing the brunt of the work such as hoeing, transplanting and weeding. Farming by indigenous women is usually augmented by other productive activities such as foraging, fishing and handicrafts, for example, weaving, knitting, basketry and embroidery. In hunter / gatherer societies, it is usually the women who forage for food and other forest products while the men hunt. There is now also an increasing number of indigenous women migrating to urban centers in search of work as laborers in the formal and informal sector. As farmers or laborers, indigenous women are exploited by the propertied classes. The mere fact that they are women aggravates the oppression and exploitation they experience as members of the working classes and as indigenous people. In addition, women undertake almost all the household chores and work of child-rearing.

It is against this backdrop of discrimination and oppression of indigenous women that the phenomenon of globalization has appeared, to further complicate the problem. Globalization has encroached in varying degrees into the local economies of the different countries in Asia. Nevertheless, pressures of the global market are felt even in the most remote communities of indigenous peoples, with a profound and intense impact on indigenous women.

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Impacts of globalization

Globalization seeks the removal of national barriers in order to allow multinational corporations (MNCs) to maximize their profits through free and open access to natural resources. In most cases, the land on which indigenous peoples live is where many of the world's remaining natural resources are still to be found. Sadly, it is this natural wealth in indigenous peoples' territories that has now become the target of MNC exploitation and commercialization.

Globalization comes in the form of mining and logging operations, dam construction and other energy projects, agriculture for export, inflows of imported goods and crops, tourism development projects such as national parks and golf courses, agricultural plantations and industrial estates, among other things. While MNCs are clearly the winners in the process of globalization, there are also obvious losers – among them the indigenous peoples whose land and resources are ravaged in the globalization race.

The particular impacts of globalization on the indigenous women of Asia are profound and far-reaching. Globalization impacts on the various roles they play in life: as productive forces in society, as child-bearers and rearers, and as vital members of indigenous communities.

The loss of land due to incursions by MNCs, government projects or settlers into indigenous territories is crucial in deciding the fate of indigenous women. Physical displacement from their ancestral territories and production base leads to economic and cultural dislocation. With the loss of their land, women also lose control over the natural resources that have been the source of their survival since birth. They are marginalized from their integral role in agricultural production.

Agricultural production was traditionally in the hands of women, who spent most of their time working in the fields to produce food for their family's consumption and other needs. Now, MNCs and businessmen tightly control the production of crops for export in plantations. Women are transformed into contractual workers on these plantations. For example, in Malaysia, the mushrooming of big monocrop plantations using mechanized methods, chemical fertilizers and pesticides has displaced rural women from their farms. Aside from agriculture, other means of subsistence livelihood are likewise affected such as fishing, foraging, hunting, livestock raising and small handicrafts, all to the disadvantage of indigenous women. From being important productive forces, they are reduced to being dependent upon their husbands or menfolk. Production of food for export, monocrop production of high-value crops for the market, and importation of food staples in line with the policies of globalization have had the overall effect of degrading the environment and threatening the food security of people in the rural areas, in particular, indigenous peoples and women. The effects range from the loss of soil fertility, massive land erosion, pollution of water aquifers, loss

Kreung woman and children, Ratanakiri Province, Cambodia. Photo: Christian Erni

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Lahu women and children, Thailand. Photo: Christian Erni

of natural enemies to pests and the loss of biodiversity due to the use of fewer certified seed varieties. As a result, indigenous women who are primarily involved in agriculture are unable to produce the food needed by their families and fall into the trap of commercialized agricultural production for export.

Migration

Poverty, dislocation from their ancestral land and marginalization from subsistence agriculture have pushed thousands upon thousands of indigenous women to migrate to urban centers, in search of other livelihood opportunities. Some try their luck as migrant workers or overseas workers, while others cross national borders as refugees retreating from the armed military repression in their homelands.

In the cities, indigenous women have difficulty finding employment because of the prevailing discrimination against indigenous people and women, and the inherent lack of employment opportunities in underdeveloped countries in Asia. Some are able to find low-level jobs in the formal economy as workers in plantations, factories, hotels or other establishments. Others are not as fortunate to get regular employment. They survive mainly through the informal economy, having odd jobs when they can find them, working as domestic servants, waitresses, sales girls, laundry women, rickshaw pullers, construction workers, etc. Most end up underemployed, or unemployed, living below the poverty line in the city slums.

As workers, indigenous women are exploited by the capitalists in terms of wages, benefits and working conditions. In addition, they experience discrimination in the workplace based on the fact that they are women and indigenous. They easily fall victim to the flexible labor practices of capitalists, which increases their exploitation. In the plantations, indigenous women workers usually receive lower wages than men.

Many indigenous women are forced into prostitution in the cities. Unscrupulous people out to make money by exploiting poor women engage in sex-trafficking of women and children. A particularly serious case is that of the indigenous women refugees of Burma who have fled the excessively abusive military operations in their homeland to live in Thailand. These women have lost everything and have nothing with which to earn a living. They are easy prey for traffickers who force them to prostitute themselves in Thai brothels. Many prostitutes in Thailand come from Burma, an estimated 90% of whom have HIV / AIDS. The number of prostituted indigenous women in the different Asian countries is astounding, reaching hundreds of thousands in countries such as Thailand, India, and Taiwan.

Rising prostitution is largely the result of the poverty and landlessness of indigenous people in areas that have been taken over by exploitative multinational corporations, settlers or hostile government forces. In the countryside, it is the result of the influx of male workers into indigenous peoples' lands. Men who have come to work in the plantations, logging companies or mining operations, usually leave their wives and families back home and look to the local women for sexual services. In Kalimantan, Indonesia, it is clear that prostitution arose with the appearance of logging companies on indigenous territory.

Increased workload, health problems and violence

An additional impact of the loss of land, marginalization of women from subsistence agriculture and destruction of the environment is the heavier workload taken on by indigenous women in the home. The loss of water and forests due to mining, logging, plantations, or the declaration of parks and forest reservations make it difficult for women to maintain the needed supply of water and fuel in the home. They are forced to walk long distances to fetch heavy pails of water or to queue for many hours with other women at the few remaining natural water sources. Wood from forests is no longer available and they are forced to look for cash

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to buy commercial fuel. In addition, the lack of basic social services, which are supposed to be provided by the government, makes it more difficult for indigenous women to maintain the welfare of the family.

Neglect of indigenous peoples' welfare on the part of the government is prevalent, as can be seen in the inadequate provision of social services. Health care, education, roads, communication networks, and utilities such as water and electricity are usually the concern of the women in the community. Indigenous peoples generally have poorer health and fewer medical services available to them. For example, in Burma indigenous peoples have the highest infant mortality, the lowest levels of income, the highest illiteracy rates, and no access to basic health, education and social services in the country in comparison with other Burmese. In terms of their health, women are also at a disadvantage in relation to men. In Nepal, female life expectancy is 53 years, 3 years less than that of males.

In this era of globalization, the most common health problems encountered by indigenous women include inadequate health and medical services, miseducation and problems with western medicines, a loss of indigenous medicines, the promotion of expensive drugs leading to added expenses for the family, the forced sterilization of women and other family planning operations, a rise in the mortality of women and children due to hard physical labor, even in times of pregnancy and health problems related to the use of toxic agro-chemicals in plantations and commercial market gardens.

Cases of violence committed against indigenous women are also on the increase. The rape of women and children is a common and widespread occurrence, particularly in areas torn by war or armed conflict. The rape of women in war is as much a part of war as the killing of soldiers. The general perception is that rape is a natural, normal or inevitable outcome of war. The rape of indigenous women has come to be used by soldiers or even settlers as a weapon for the systematic repression and dislocation of the indigenous people.

Another aspect of violence is that committed against women migrant workers. Thousands of cases of physical, sexual, verbal and emotional abuse committed by employers against women migrant workers have been reported, while more remain undocumented. The worst cases are those of women who have sold their land and properties to be able to pay their fare and placement fee to a recruiting agency, and who come home a lifeless corpse, the victim of abuse. In the Cordillera, Philippines, there is now hardly a community that does not have an overseas contract or migrant worker coming from their area. Stories of abuse and violence experienced by indigenous women migrant workers of the Cordillera are common.

Breakdown of traditional culture

A particular concern is the impact of globalization on the children of indigenous peoples. Among the most significant impacts are child malnutrition due to poverty, growing consumerism among the youth due to the creation of new needs, a lack of education opportunities in the school and at home, loss of traditional and natural areas for children's recreation, neglect of children by parents who are forced to work in distant places, and child labor. In Thailand, for instance, many mothers are forced to find work in the city. They are taken out of the home and away from daily contact with their children. The mother's absence from the home leaves a large gap in the children's knowledge of traditional culture, which is usually passed on by the mother through practice. The breakdown of traditional cultural practices contributes to the breakdown of the family system, with many marriages ending in separation or broken families. Children are growing up with multiple problems as a result of this difficult family situation.

The breakdown of the traditional culture and beliefs of indigenous people is a direct result of their integration into the dominant culture and the globalized market economy. Problems such as immorality, drug addiction, alcoholism, the opium trade and suicides are on the increase in indigenous communities where traditional culture has been weakened. The traditional culture is not only weakened but even commercialized to make money and to promote tourism. For the women, this has meant a loss of control over their culture. Traditional crafts made by women, which used to provide them with a sense of pride and some income, are taken over by businessmen who mass produce traditional designs and crafts for a profit.

Traditionally, indigenous women often act as healers or spiritual leaders in the community. They carry with them a wealth of indigenous knowledge regarding agriculture, herbal and traditional medicine. For instance, women have knowledge of indigenous seed varieties of rice and other plants. They know what kind of seeds and plants are necessary for ensuring a bountiful harvest, for providing the nutritional needs of the family, and for healing simple illnesses. The increasing control of biotechnology corporations over the seeds used in agriculture is marginalizing the indigenous peasant women from this important role in the community.

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Photo: Christian Erni

The trends in the situation of Asian indigenous women outlined above clearly reveal a pattern of violation of the rights of indigenous women. The rights of women and indigenous peoples, contained in several international human rights instruments, are systematically transgressed in a myriad of ways. International instruments and conventions in relation to women include the *Convention on the Elimination of All Forms of Discrimination Against Women*, the *Nairobi Forward-Looking Strategies for the Advancement of Women*, the *Beijing Declaration* and *Platform for Action*. When it comes to indigenous peoples' rights, the *United Nations Charter* and other instruments such as the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights* declare that "all peoples have the right to self-determination." In addition, *Conventions 107 and 169 of the International Labor Organization* recognize the right of indigenous and tribal peoples to the control and ownership of their territories and lands.

Indigenous women's movement

It is precisely the experience of being violated, oppressed and exploited that has been the determining factor in the organization of an indigenous peoples' movement. In Asia, indigenous peoples, including indigenous women, have waged life-and-death struggles against ethnocide, land dispossession and national oppression. They have set up organizations at all levels, from local to international, and launched various activities in defense of their land, life and resources.

Indigenous women have done their part, through participation in general community struggles as well as through setting up their own women's organizations and networks, locally and internationally. Worth mentioning are the Asian Indigenous Women's Network (AIWN), founded in 1993, the Innabuyog (Regional Federation of Cordillera Indigenous Women), the Indigenous Women's Network in Cambodia, the Naga Women's Union of Manipur, Naga Mothers' Association, the Indigenous Women's Forum in Jharkhand, the Karen Women's Organization, the Jhumma Peoples Network of the Asia-Pacific, the Ghumusar Mahila Sangathan, among others. Forms of action they have utilized range from political and confrontational protest actions to petitions, pickets, litigation and local self-help socio-economic projects.

The situation of the indigenous women of Asia today could not be further from the picture of equality and human dignity envisaged in existing declarations of human rights, women's rights and indigenous peoples' rights. Indigenous women remain among the poorest, most violated, most oppressed, most scorned and most exploited sectors of society. Their situation is a dark picture of human misery painted by the powers-that-be, who covet indigenous peoples' land and who would do anything to control power and profits in the global economy. The redeeming features in this picture are the struggles of indigenous peoples themselves who have persevered, despite the odds against them. Their struggles as indigenous people and as women for self-determination and equality are a ray of light for the future of humankind.

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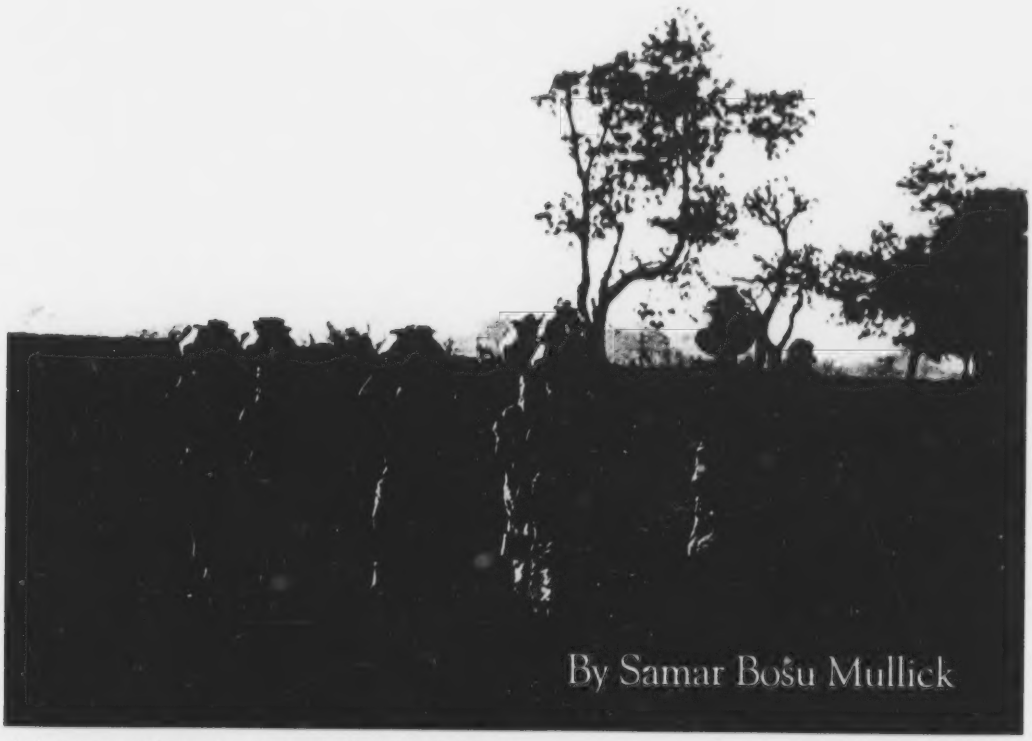
WITCH ACCUSATIONS IN JHARKHAND, INDIA

A few recent cases



By Samar Bosu Mullick

Munda women carrying Hania, traditional rice beer, Jharkhand. Photo: Roger Begrich

Mother and child at a village meeting, Jharkhand. Photo: Roger Begrich

Jharkhand is located in the eastern part of the central tribal belt of India. It is a forested plateau region surrounded by the states of Bihar in the north, Orissa in the south, West Bengal in the east and Madhya Pradesh in the west. It is the ancestral homeland of several indigenous and analogous peoples. The region is known for its long history of relentless struggle of its peoples for the protection of their indigenous identity and ancestral land, forest and water.

Witch hunting

The social and economic crisis that the indigenous society of Jharkhand is experiencing today is not only caused by the aggression of external forces but also by its own internal factors. The most important of these internal factors has been the rampant practice of witch hunting. This not only entails a continuous process of degradation and dehumanization of the women folk of the society but also perpetuates a gender division within it, which weakens the society from within. However, the popular belief has, on the contrary, been that the 'witches' are to be eliminated regularly in order to make the society stronger against external aggressions.

During all great struggles of the past, such as the Santal Hul of 1855, the Birsa Ulgulan of the Mundas in the last quarter of the 19th century and even the recent Ho uprising in the 1980s, the leaders ordered the killing of witches in order for a purification of society necessary to win the battle. No battle, however, could be won at such a heavy cost of female lives. But that has not deterred the men from carrying on their onslaught against women in an outrageous way.

Under popular pressure from the administration and some non-governmental organizations, the Bihar government passed the Prevention of Witch Accusation Act, 1999. The objective of the Act was stated to be that of preventing women being identified as witches and to stop the torture, dishonor and killing of women by society on the same grounds. The Act, however, even a year after its passage, has failed to yield any significant results. Rather, according to a village headman of the Ho tribe of the Khuntpani Developmental Block in the district of West Singhbhum, the number of incidents of witch accusation and killing in the district has increased after promulgation of the Act.

The number of such cases registered in the Police Stations of other districts show no sign of decrease in the male spree of witch killing and torture. This fact makes one remember the same initiative that was taken by the British colonial government in the latter half of the 19th century. The Santal men folk resented this decision and demanded reconsideration. They said that the witches were inflicting pain and death on their otherwise happy and peaceful life. Thus the initiatives of both the colonial and independent governments for more than a century have resulted in nothing but an emphatic assertion by the indigenous male-dominated society of its belief in the existence of witches and its determination to eradicate them.

The branding of the long established practice of witch harassment and witch killing as the product of superstitious beliefs, and the spreading of a modern education and healthcare system as the cure has yielded nothing. Educated tribal men are reported to be no less enthusiastic in eliminating witches than their 'ignorant and superstitious' brothers. Similarly, despite the presence of the modern medicinal system, death and diseases continue to take place as does the identification of women as the witches who cause them. The belief is deep rooted and certainly serves a social purpose.

The following are a few recent cases of witch accusation, torture and killing, which reveal interesting facts.

Case - 1

Village: Sarauni Kala, Hazaribagh, Mufassil (Suburban) P.S.
Accused: Bhagia Devi
Accuser: Khago Prajapati, husband of the Accused
Tribe/caste: Scheduled Caste - Prajapati
Form of punishment: Killed by slitting the neck
Executed by: The husband

(Ref. Prabhat Khabar 20 Feb 2000)

The case:
"Ghost entered into her body. She planned to eat my son (her stepson). My wife was a witch." Said Khago.
Khago married Bhagia of Kharna Bera under Bishnupur Police Station while his first wife was alive. Bhagia was a widow with no issue. Her second marriage became fruitful and she gave birth to one son and two daughters. Khago had three children from his first marriage. The eldest of the three, a son called Nrayan, developed some kind of chronic disease. Khago suspected Bhagia's hand behind it. As his apprehension deepened, he decided to kill her. On the 10th February, he took Bhagian to the forest asking her to collect firewood. The moment Bhagia stopped to collect the dry branch of a tree Khogo slit her neck with a sharp weapon. Then he left the body there for some time and later went back to take the head and bury it near a rivulet. Then on his own initiative, he informed the police that his second wife was missing; that she had gone to the forest and not come back. He also informed his in-laws and requested them to trace their daughter. The police recovered the body of Bhagia in the forest two days later but could not trace the head until they got a clue from some of Khago's co-villagers. Khago was arrested and accused of killing Bhagia Devi.

This exemplifies an instance of individual effort to eliminate the 'witch'. The immediate cause was incurable disease.

Case - 2

Village: Mukund Gaon, Hazaribagh, Mufassil (Suburban) P.S.
Accused: Samudri Devi
Accuser: Brother-in-law and his family
Tribe/caste: Scheduled Caste - Viswakarma
Form of punishment: Attempted murder
Executed by: The accusers

(Ref. Prabhat Khabar 22 Feb 2000)

The case:
"I am not a witch. I have not eaten any cow. People want to kill me for nothing. One day they tried to kill me by pressing my throat. My brother-in-law and his wife and children hate me. They have made my social life unbearable," said 45 year old Samudri Devi of Mukund Gaon in the Mufassil (suburban) Police Station, Hazaribagh. She has a happy family with her husband Kailash Vishwakarma and their children. But people are envious of the family. The villagers have a strong belief in the

Munda woman with water buffalo and calf, Jharkhand. Photo: Roger Begrich

Birhor woman carrying freshly harvested forest produce. Jharkhand. Photo. Roger Begrich

existence of witches and ghosts and everybody wants the family to leave the village. The police have already arrested two of the those accused under the First Information Report lodged by Samudri Devi. The other two have absconded.

This is an instance of accusation by a section of the family members supported by other villagers. The apparent cause is the death of a cow.

Case - 3

Village: Dumar gaon, Hazaribagh, Mufassil (Subur-ban) P.S.
Accused: Keshvati Devi
Accuser: Tulsi and Munsi Rana
Tribe/caste: Caste - Teli
Form of punishment: Severe beating
Executed by: The accusers

(Ref. Prabhat Khabar 6 March 2000)

The case:
According to the son of the accused, his mother has been the victim of anger from her superstitious neighbors for a long time. The accusation against her has been that she has an evil eye. Whoever she looks at falls ill. The Village Council held meetings on this issue and warned the accusers a couple of times earlier. But despite this, she has been harassed time and again. Once, a written complaint was lodged against the present accusers, Tulsi and Munsi Rana. However, the police did not take any action against them. The present incident happened yesterday morning. The Ranas brought the water pump to irrigate their land. The machine did not work. The Rana brothers believed that it was the evil eye of Keshvati that had caused the problem. They started abusing her with filthy words. When the son opposed this, they assaulted him physically. Seeing this, his mother came to his rescue and, consequently, was also beaten up severely. Later on, both mother and son came to the police station and lodged a First Information Report. The police filed cases under sections 341, 323 and 504/34 of IPC, and 4 and 5/6 of the Witchcraft Prevention Act against the Rana brothers. Neither of them were arrested until the report was written.

This is an instance of accusation by a section of the neighbors. The apparent cause is a machine going out of order.

Case - 4

Village: Sundarpur Toli, Palkot P.S.
Accused: Ratia Baraik, Asari Devi, Bishmuni Devi, Kaushalya Kumari and Fagu Chik Baraik.
Accusers: Ranjit Baraik, Moti Baraik, Bhuneswar Baraik, Manu Baraik and Dilu Baraik
Tribe/caste: Tribe - Chik Baraik
Form of punishment: Severe beating and force feeding of human excreta.
Executed by: The accusers and about 20 to 25 other co-villagers

(Ref. Prabhat Khabar 7 March 2000)

The case:
According to the First Investigation Report lodged by Asari Devi, one of the victims, she was at home on the 4th March together with her husband Fagu, her son-in-law Ratia, and her daughters Bishmuni, and Kaushlya. Her husband and son-in-law had just come back from the fields and were having lunch. At that time, Ranjit came along with four-five people from the village and asked them to attend the village panchyat (council) meeting, which was in session. They took them to the meeting.

Ranjit and others named in the First Investigation Report accused Ratia, the son-in-law, of being a wizard. Then they started to beat him with sticks. When the rest of the family members tried to rescue him, they were also severely beaten up. After that, they were forced to eat human excreta.

Asari Devi further reported that, earlier on, the same group of people had also accused Gotar Urain, wife of Pade Uraon, Rijhe Urain, wife of the late Chamra Uraon and Riba Uraon, daughter of Bhola Uraon, of practicing witchcraft. They shaved these women's heads and forced them to leave the village.

In both of the cases, the apparent objective of witch accusation seems to be to drive out the accused from the village. In the first case, the family has no male issue. The son-in-law is a Ghar Jamai (the son-in-law living with the in-laws). His expulsion from the village would benefit the immediate relatives of the family materially.

Case – 5

Village: Garhatoli, P.S. Gumla, District Gumla
Accused: Lohri Uraon Age: 65
Accuser: Birsu Uraon
Tribe/caste: Tribe - Uraon
Form of punishment: Death
Executed by: Birsu Uraon

(Ref. Prabhat Khabar - 25 April 2000)

The case:
According to the First Information Report lodged by the villagers at the police station, Lohri Uraon was sitting in the courtyard of her house when Birsu Uraon came and accused her of practicing witchcraft. He picked up a wooden stool lying nearby and kept hitting her head with it until she breathed her last. She certainly screamed and cried for help but nobody came to her rescue. She was a single woman with control over some family land for her livelihood, which is a common practice. Birsu's immediate motive could have been to take her land, which naturally passes into the hands of the next male member of the lineage after the death of the widow or spinster, as the case may be.

This is an instance of accusation by a family member supported by other villagers. The apparent cause is not known but the motive was to take land.

Case – 6

Village: Ambria, District: West Singhbhum
Accused: Mecho Purti Age: 50
Accuser: Ramai Purti
Tribe/caste: Tribe - Ho
Form of punishment: Death
Executed by: Ramai Purti, Durgacharan Shundi and five others

(Ref. Documentation centre, Tribal Women's Council, Singhbhum - 19 Dec.1999)

The case:
It was early in the evening. Mecho Purty, aged about 50, was chatting with her two neighborhood friends. Her husband was not at home. Suddenly, seven people with their faces covered with cloth entered the house. One of them, later identified as her son-in-law, accused her of practicing witchcraft and began hitting her with an iron rod until she fell down in a pool of blood. Next morning, the headman of the village was forced by the husband of the victim to lodge a First Information Report in the nearest police station. On the basis of the report of the eyewitnesses, the police could arrest only one of the accused, named Durgacharan Shundi, who confessed to the crime. But the real killer had slipped through the fingers of the police.

This is an instance of accusation by a family member supported by other villagers. The apparent cause is not known.

Underlying causes of witchcraft beliefs

Although these cases are collected randomly, they reveal different kinds of accusations and different forms of punishment. They also show that the belief in witchcraft and the practice of torturing and killing women on the grounds of accusations of practicing witchcraft is not confined to the tribes (indigenous peoples) alone. The analogous peoples, in these cases the Scheduled and other lower castes, are also part of the same system. However, the tribes are more active in witch hunting than their caste neighbors.

The institution of witch finders and the system of belief in which they are embedded has a long tradition in Jharkhand. Tribal myths and legends offer us enough clues to conclude that it was borrowed from the peoples of the neighboring plains, along with the process of sedentarisation of the tribes. Thus the belief in witches is not found among the nomadic foraging tribes such as the Birhors and the Kodakus.

But what was the social compulsion of borrowing such an apparently inhuman institution and related beliefs? The answer cannot be evaded by pointing at a rather vague word as 'superstition'. Every so-called superstition has a material base. So what is the material base of witch hunting in Jharkhand? The above mentioned cases can provide the answer.

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Munda woman and child. Jharkhand. Photo: Roger Begrich

All the cases have one thing in common, i.e., a strong belief in the efficacy of witchcraft; witches can cause harm and even death to both humans and animals. Although it sounds ridiculous, they can even damage a machine! The cruelty with which the accused is tortured or killed can only be explained by the strength of the belief, particularly when the accuser is a close relative, which is often the case. The witches are killed individually or collectively by their own lineage members and co-villagers and the crime is committed with the full sanction of the village folk. Those who go against the decision are also harassed and tortured. There can be wizards as well.

Beneath the apparent material gains there lies a more socially important cause to such killings and harassment, because not all the villagers benefit materially from such heinous acts.

It is true that the belief has many dimensions, both economic and cultural, social and supernatural. But at the moment it would be wise to pay a little more attention to the economic and cultural aspects of it.

The fact that the belief in witchcraft is not found among the foraging tribes leads one to presume that the belief has some cultural connection with the economy of settled agriculture and the patrilineal social structure of the major tribes and lower castes of the region. At this juncture, we must remember that the lower castes in Jharkhand cannot be equated with their counterparts in the plains. In Jharkhand, they are very close to the tribes both economically and culturally. That is why some anthropologists call them the 'analogous' peoples.

In the plains, the belief in witchcraft among the castes has become a thing of the past. Thus, the belief in the efficacy of witchcraft is strong and the practice of witch killing is widespread only among the tribes and analogous peoples. Neither the caste society in the plains nor the foraging peoples practice it. This fact leads researchers to believe that, beside other factors, witch hunting is a phenomenon of a society that is in the process of establishing patriarchy.

Though the major tribes of Jharkhand are settled agriculturalists, they are still substantially dependent on forest products. The women traditionally do the foraging, which provides them with economic power. Moreover, since society has still - to a large extent - carried on Neolithic traditions, the woman still enjoys some rights before marriage to the lineage resources of the parents, and to those of the husband after it.

The full growth of patriarchy demands the end of such rights and powers of women. Women's power in this society is also derived from their ritual knowledge. The growing patriarchy in Jharkhand society therefore also needs to make women ritually powerless in order to establish full male domination in the area of the supernatural. The tribal society in Jharkand must have borrowed the belief in witchcraft from its caste neighbors in response to the demands of patriarchy that started emerging with the adoption of settled agriculture. Thus, at present, the society is passing through a sharp gender conflict resulting in inhuman torture and the killing of women.

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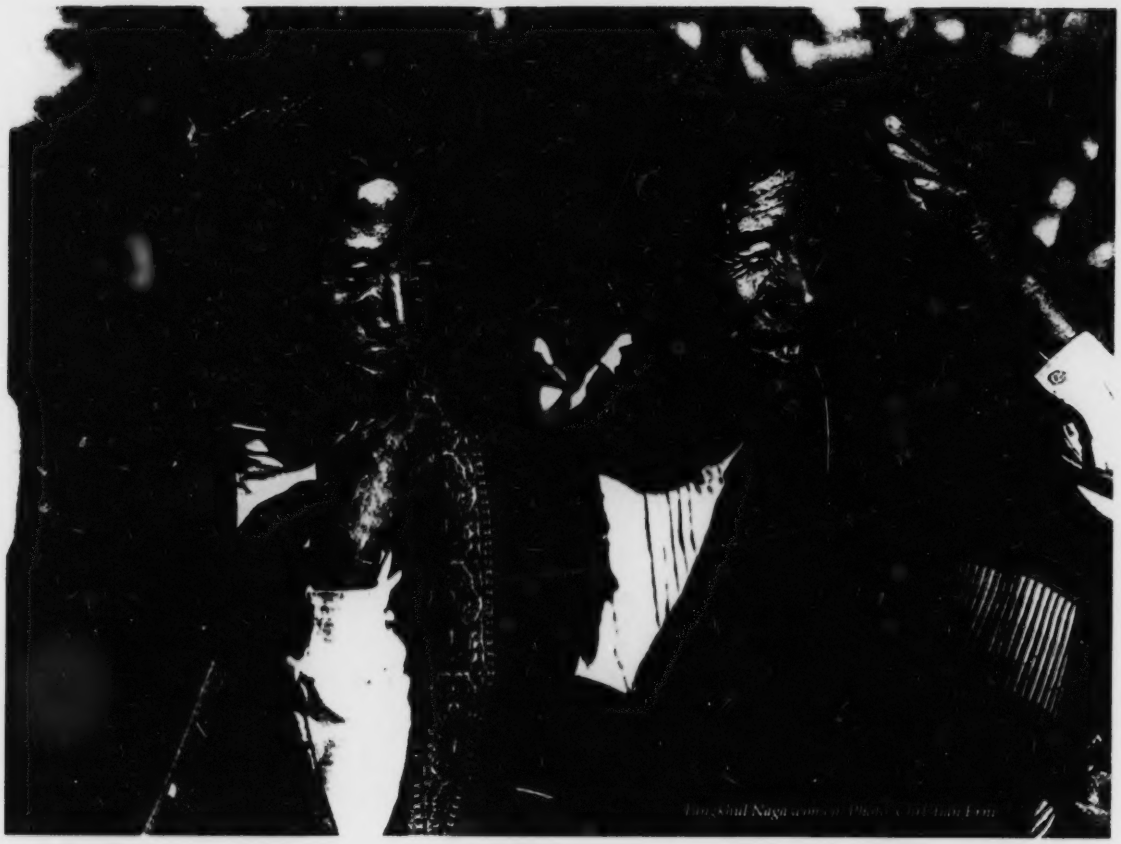

WOMEN FOR PEACE IN NAGALIM[1]

By Shimreichon Luithui

To the great relief of civil society, both Indians and Nagas, the cease-fire agreement between the Government of India and the National Socialist Council of Nagalim - Isak-Muivah (NSCN-IM)[2] has been extended for another year from August 1, 2000. In 1997, the Indian Government took a path-breaking decision to enter into negotiations with the NSCN - IM, the leading Naga national resistance movement. This announcement was followed by a cease-fire agreement between the two on August 1, 1997. The announcement of Indo-Naga peace talks in the Indian Parliament after 50 years of bloody war was supported by all the political parties. The Nagas received it with optimism and hope and used the opportunity of peace to express their strong support for the national resistance movement through public meetings and consultations.

Nagas are a mongoloid people, numbering about 3 million, with more than 40 tribes. They speak languages closely related to the tibeto-burman language family. The Nagas live in the mountains of the Patkai Range between India and Burma. Most of them are subsistence farmers with rice as their main crop. About one third of their land came under the British in 1879, the remaining two thirds were then designated as 'no man's land'. After the British left, Nagalim was divided between India and Burma.

Tangkhul Naga women. Photo: Christian Erni

The three years of cease-fire has allowed Naga civil society to come out in the open and actively participate in the discussions on the Naga political issue and engage in a dialogue with groups from the national movement. Naga women, represented by the Naga Mothers Association (NMA) in Nagaland State and the Naga Women's Union Manipur (NWUM) in Manipur State, have joined in the efforts to consolidate peace in Nagalim. These two women's organisations have been working on human rights issues, afforestation and conservation, empowerment of women, against construction of the multi-purpose Tipaimukh high dam and on alcoholism and drug addiction. The NMA president has received the Padma Shri Award, a very prestigious award for outstanding social work, from the Indian Government this year, in recognition of her work.

Even before the cease-fire, the two organisations had been working with other leading Naga organisations such as the Naga Hoho Summit (federation of traditional tribal councils), the United Naga Council, the Naga Students Federation (NSF), the All Naga Students Union-Manipur, the Council of Churches and Naga People's Movement for Human Rights(NPMHR) to reduce the violence and brutalisation of Naga society. This was largely caused by the Indian security forces and also partly by factional fighting .

Since the beginning of the peace talks, the two women's organisations have become deeply involved in the peace process. Their activities in connection with the peace process have focussed on three areas: peace and reconciliation; participation in capacity building, and the "peoples to peoples dialogue" with Indian civil society.

Peace and reconciliation

The consequence of 50 years of struggle against the Indian State has been thousands of human lives lost and a Naga society that has been left battered and desolated. But their will to continue to fight for their right to self-determination is still intact. The Indian State has employed a "carrot and stick" approach and a "divide and rule" policy to suppress the aspirations of the Nagas. It succeeded in creating divisions in the national movement and society as a whole.

Today, the Naga resistance movement is divided into three groups or factions: the NSCN- IM, with the broadest support base among the Naga people; the NSCN-K – some of whom are alleged to be working in tandem with the Nagaland State Chief Minister, S.C.Jamir, who is known to be co-opted by the Indian State; and the remains of the once leading, but now severely weakened Naga National Council (NNC). One of the major problems facing the Nagas internally is the factional fighting between NSCN-K and NSCN- IM, often fanned by vested interests.

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The NMA and the NWUM have been working relentlessly towards reconciliation and unification of these groups. In this effort, as in many other issues facing Naga society, they are working closely with the other Naga organisations mentioned above. The NMA and the NWUM have made every effort and have travelled far and wide to meet all the groups and factions. For instance, in the early days of the cease-fire they walked tor days to the Eastern Nagalim, in Burma, to meet the NSCN-K leader Khaplang. They had free and frank discussions with him, appealed to him for reconciliation with the other groups and towards finding a lasting solution to the Naga political problems.

They also participated in the consultation with NSCN-IM leaders and civil society in Dimapur, Nagalim, last year. And two representatives of the NWUM met with the NNC leader Adino Phizo and her brother, who is adviser to NNC, in London last year. They had long discussions with them and also appealed to them to help bring the different groups and factions together.

Although it has been difficult, the two organisations have managed to establish contact with all the factions and hold regular discussions and dialogues with them. This helps to clear up potential misunderstandings between them and civil society and, above all, the different factions. The NMA and the NWUM have succeeded in bringing together some of the leaders of these factions in informal meetings. The women's intervention has helped greatly to reduce tensions and violence in society.

The women activists have also had informal dialogues with the "overground" Naga politicians who, out of personal interest and opportunism, have to a large extent contributed to the divisions in Naga society. Keeping the channels open at every level, creating space for dialogue among different groups with differing opinions, is a crucial factor in healing and enhancing peace in society. And Naga women are indeed playing this role very effectively.

As part of India's strategy to weaken the Naga national struggle, a section of the Kuki people living in parts of Manipur were used by the Indian security forces to fight the Nagas. This led to the outbreak of heavy inter-ethnic violence. As a result, hundreds of Naga and Kuki houses were burnt down between 1992 and 1996. Both communities lost hundreds of lives. Many villages were uprooted, causing so much human tragedy and many villagers are still in refugee camps. Major clashes have abated but tensions between the two communities still run high. At the height of the Naga-Kuki clash, the NWUM initiated a peace campaign to resolve the conflict between the two communities, through dialogue and mutual understanding. Women came forward to build a bridge between the two communities when it was impossible for men to do so. The NWUM and the Kuki women continue to try and find ways of working together in order to recover peace and normal relationships between the two peoples.

Previously in traditional Naga society, women acted as arbitrators in times of conflict. Women played the role of peace makers, for instance, in the pitched battles between their village of birth and the village they married into. Holding up a long Y shaped stick they would enter the battlefield and stop the war. Since they were related to both parties by blood and through marriage, neither side could harm them. The NMA and the NWUM are somehow continuing this tradition by new means.

Though it is difficult to see tangible results, the women activists feel that there is positive change and that, to some extent, there is better understanding among the Nagas. At least, since the cease-fire, fratricidal killing among the Nagas has reduced greatly. This can be attributed to people having more space to discuss and clarify and less room for vested interests to play their game. And there is strong pressure from civil society to refrain from violence. In the present situation, where all kinds of conflicting views are kept floating around by vested interests, women enjoying trust from all sides are playing a very crucial role in furthering dialogue and mutual understanding and therefore in bringing peace to society.

Participation in capacity building

The NMA and the NWUM have been participating in several workshops and training programmes on peace and capacity building so that they can positively impact on the on-going Indo-Naga peace talks. At the same time, the NWUM has conducted several small workshops at the village level on methods of democratic participation in the peace process and the villagers have responded very enthusiastically. It has been learned from past experience that, to keep the peace talks on track and to bring about a workable solution, the broadest possible acceptance and support of the people is necessary. It is therefore important to secure the active participation of the people. A well-informed civil society has to stand behind the leaders who are sitting at the negotiation table. So the workshops on capacity building are very relevant.

The Naga leaders, for their part, have responded very positively to the increasing engagement of civil society. Extensive consultations took place in 1999 and such consultation with civil society in order to address the issue of difference of opinions and clarification is continuing. In this context, the Consultative Body, consisting of tribal councils and some NGOs, set up by Naga civil society and the NSCN-IM in May last year is very important. It will hopefully be developed into a mechanism for the effective participation of civil society in the negotiation process.

The participation of the NMA and the NWUM in training to improve their capacity is also part of an empowerment process, to ensure that women's views and positions are taken into account in the discussions on the future of Naga society. Women, out of concern, have

worked relentlessly for peace and for the creation of a better society. And because of their consistency and the crucial role they play, they have gained much respect.

However, they will have to make sure that this respect is translated into lasting recognition of their role in politics and that their participation at all levels of political decision-making is guaranteed, particularly once lasting peace is achieved. For example, Naga women still do not have a place on the village council and tribal *Hoho* (council). While many Naga men still need to be educated with respect to gender equality in society, many women still need encouragement to assert their rights. Naga women are as educated and skilled as the men but they often simply lack the self-confidence to take an active part in the discussions and decision-making processes that are so crucial for the future of their communities, and for Naga society as a whole.

"Peoples-to-peoples dialogue" with Indian civil society

There is strong feeling among Naga civil society that in order to achieve a successful outcome to the Indo-Naga peace talks, fostering better understanding and mutual respect between Indian and Naga civil society is much needed. So far, Nagas have interacted mostly with the Indian Government and there has been too much distortion and misunderstanding about the Indo-Naga political problem amongst the public. A direct "peoples-to-peoples dialogue", in which representatives of civil society are given the chance to explain to each other their situations, views, hopes and concerns has therefore been initiated. This, it is hoped, could help mend the turbulent relationship and contribute to finding an acceptable way of resolving the conflict between the two countries. For this, the NPMHR, together with the leading Naga organisations, has decided to organise "Journeys of Conscience" to some of the main cities of India. Both the NMA and the NWUM are active participants in this initiative.

The first journey, with a Naga delegation of 66 members, was made to Delhi in January this year. The delegates had interactive consultations with Delhi-based civil and democratic rights organisations along, with eminent intellectuals. They also had separate meetings with Naga students who are studying in Delhi.

The journey to Delhi was concluded with a successful *Peace March* to Gandhi Samidhi Rajghat, where the mortal remains of Mahatma Gandhi, the Father of India, were interred. The Nagas were joined by representatives of many Indian organisations, including the students. This homage to Mahatma Gandhi was symbolic because Gandhi understood and recognised the rights and aspirations of the Nagas. The Nagas want to build relationship with India based on this promise.

Indian civil society has welcomed the initiative taken by Naga civil society. The response in Delhi was very good. In the meantime, some of the Indian organisations have invited leading Naga organisations, including the NMA and the NWUM, for consultations. The women activists found such consultations very useful, moving in the right direction towards building a better understanding and mutual respect between the two peoples.

Initiatives by Indians in support of the peace process now continue at different levels. Intellectuals in Delhi and three former Prime Ministers of India have sent letters to the Government of India in which they urge the Government to maintain the cease-fire and resume the peace talks in a constructive and meaningful manner. They also appealed to the Government of India to approach the Government of Thailand with a request to release NSCN leader Th.Muivah, who has been imprisoned in Thailand. Muivah, the leader of the Naga peace negotiation team, was arrested by the Thai authorities in January this year for travelling on a false passport.

Naga civil society, together with intellectuals, politicians and human rights activists from India, Thailand and other countries have met twice in Bangkok since July this year to express their support for Muivah and to discuss issues related to the peace process. The NMA and the NWUM also participated. These meetings were extremely constructive, and they marked the beginning of a close and potentially very fruitful cooperation between Indian and Naga civil society. This cooperation, and the active role the Naga women play today, may ultimately prove decisive in bringing about lasting peace to the Nagas.

Notes

[1] The Nagas have started using the word 'Nagalim' in place of 'Nagaland' since 1997.'Lim simply means 'land' in Ao Naga language. When Nagas refer to Nagalim they mean the entire area inhabited by Nagas in the same way they used to use the word 'Nagaland', which was divided by the British between India and Burma. The Indian Union created a State in 1963 named Nagaland, comprising only one third of the area inhabited by the Nagas.

[2] The NSCN split into two factions in 1988 - NSCN- K under the leadership of Khaplang and NCSN- IM under the leadership of Isak and Muivah.

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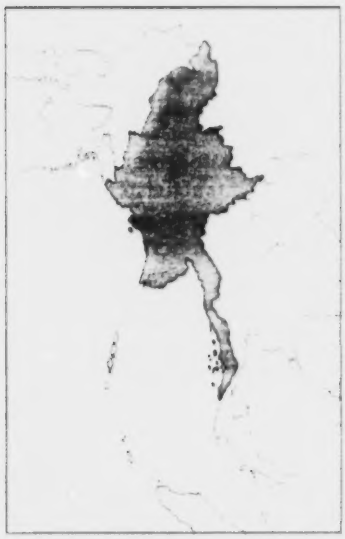
ATROCITIES AGAINST INDIGENOUS WOMEN IN BURMA

By Debbie Stothard



"It is time we brought the attention of the world to the abysmal conditions under which so many women of Burma are forced to exist, not just for weeks or months but year after year..." –Aung San Suu Kyi.

All ethnic groups, with the exception of Anglo-Burmese, South Asian and East Asian immigrant communities, are considered indigenous to Burma, in their specific localities. Burma is home to a great diversity of ethnic nationality groups, the more well-known ones being the Chin, Kachin, Arakanese, Mon, Shan, Karen and Karenni. The ethnic Burmans who dominate the rich delta area also dominate the central government. It is the Burman-dominated military which rules the country with an iron fist.

Burma gained its independence from Britain in 1948, a year after the independence hero Aung San helped draft the Panglong Agreement that guaranteed the rights of ethnic peoples in Burma. However, post-independence dissatisfaction set in amongst several ethnic groups, who felt that these rights were threatened. A war broke out between the Karen and the Burmese army. In 1962, military strongman Ne Win staged a coup, citing the need for stability. Since then, Burma has been ruled by a succession of juntas under Ne Win's leadership or influence.

In 1988, Ne Win resigned as the chair of the Burmese Socialist Programme Party (BSPP) paving the way for a multi-party system. However, this brief flirtation with thoughts of democracy quickly ended following a general strike on August 8, 1988 - the BSPP had done too little too late, and the people were fed up. Weeks later, Ne Win regrouped and formed the State Law and Order Restoration Council (SLORC), which eventually held general elections in May 1990. To Slorc's shock, the National League for Democracy led by Aung San Suu Kyi (then under house arrest) had a resounding victory. The junta, reincarnated in 1997 as the State Peace and Development Council (SPDC), still refuses to honour the outcome of these elections.

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Meanwhile, the military regime(s) continued to wage a widening civil war on the ethnic peoples of Burma. This civil war helped justify the increasing resources spent on the military machine and led to the growing militarization of the entire country. It turned the homelands of many indigenous groups into battlefields and arenas of displacement, war atrocities and systematic human rights abuse.

In situations of conflict and oppression, it is usually women and indigenous peoples who bear the worse impacts. Burma is no exception: the most brutal violations tend to occur more frequently in rural areas, especially in the border areas, where there are large concentrations of people of non-Burman ethnic background.

In the civil and political context, the military's refusal to recognise the outcome of the general elections that it organised in 1990 has also greatly disadvantaged non-Burman ethnic nationality groups. The National League for Democracy (NLD), which won 81% of the Parliamentary seats, has a far more progressive policy on ethnic diversity. Seventeen per cent of the Parliamentary seats were won by ethnic-based parties and only 2 per cent by the military-backed National Unity Party. Several of the ethnic parties have since been banned.

While some observers see the civil and political abuses of the junta as affecting mostly Burman dissidents, these abuses also prevent the ethnic nationality groups from legitimately exercising their political rights. Greater democracy in Burma is necessary because it implies greater political space and possibility for the ethnic groups and the Burmese administration to achieve a peaceful, political solution.

Women in conflict areas

State-sanctioned violence is one of the most serious threats to women's well being, especially in the ethnic areas. This violence may be directed at the population at large, as with forced labor and forced relocation, but it can also be directed specifically at women. Humiliation of and violence against women has been documented repeatedly as a tool used to terrorize communities.

Women have been tortured, raped and killed, and women who speak out against injustice have also been subjected to similar violence as examples of what happens to "trouble-makers". When communities seek justice, it is often not the perpetrators of violence but the communities themselves that suffer.

Economic instability and increasing poverty are also great threats to overall well being. Women bear much of the burden of providing for their families, but lack equal educational opportunities. Yet their responsibilities are great, leading to increased migration to cities and neighboring countries. Exploitation by traffickers is more often the rule than the exception for these women.

Access to healthcare in general is limited, especially in rural and conflict areas. Approximately 35% of the population has no access to public primary health care services of any kind.

Women in ethnic areas where forced labor and forced relocation are problems have extreme difficulty in maintaining their own and their families' health. Not only is there a lack of medical care, there is insufficient food and shelter, contributing to poor overall health. Forced labor and fear of violence by military regime troops force many rural communities to flee into the jungle. While there,

Exiled and refugee women of different ethnic nationalities celebrate the Women of Burma Day on 19 June 1999 in Thailand. Photo: Altsean-Burma

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people can die of diseases that are not usually life threatening, such as chicken pox, fever, and diarrhoea.

Women in conflict areas often become primary income earners by default when their husbands are taken away for forced labor or killed.

Lack of employment opportunity often leads to the trafficking of women from Burma, both domestically from rural areas to the cities and internationally. Women are trafficked into various fields including construction, agriculture, factory work and sex work. Travelling through contacts with brokers is a common means for women to migrate for economic reasons, but it is neither a safe nor secure means, often with devastating consequences. In its attempt to prevent women from being trafficked to neighboring countries, the military regime created a law prohibiting women between the ages of 16 and 25 from crossing borders unless accompanied by legal guardians. The regime claims this law is to protect women but in reality it only makes them more dependent on traffickers to get them through checkpoints and makes them more vulnerable to exploitation.

6 DISPLACED WOMEN RAPED AND KILLED IN A GROUP IN KUN-HING

In late May 2000, 6 displaced women who made their living peddling small goods in the rural areas of Kun-Hing township were raped and shot dead by SPDC troops from IB246, led by Capt. Aung Htay, near the Kun-Hing - Murng-Paeng road between Ka Li village relocation site and Kun-Hing town, Kun-Hing township.

The women were going from Ka Li relocation site towards Kun-Hing town to buy their goods and were carrying 3,000-5,000 Kyat of money each. On the way, they ran into a column of 70-80 SPDC troops from IB246, led by Capt. Aung Htay, who stopped them and took them some distance away from the road and robbed them of all their money. After robbing the women, Capt. Aung Htay raped one of them and told all his troops to rape all the women. After the gang rape, Capt. Aung Htay ordered his troops to make all the women sit in a group and shot them dead.

From Shan Human Rights Foundation (SHRF) Monthly Report , June 2000

Forced labor

In conflict areas, forced labor is often accompanied by extreme violence and leads to food scarcity by undermining a family's capacity to grow their own food or to engage in paid labor to buy food. Women are conscripted into labor themselves, or have to maintain the household while the husband is doing forced labor. In many cases, men flee the village in order to avoid forced labor orders but women are then rounded up instead. Forced laborers are often beaten and women are also subjected to rape.

One Karenni woman recalled that she and her family had left their village because they did not have enough food. When asked why she did not have food, she replied:

"Because we couldn't work to produce food. Even though the rains were less, if we didn't have to do forced labor we could have worked and produced enough food for us to live. We also had to give them 50 Kyats per week to work on their farms (plots of land allocated by the army) where we could stay with our families. If the Burmese needed us while we were farming, they told the village headman and he told us we had to come back. The money for the farm was already paid and we didn't get it back. We lost those days (of farming which they had paid for)."

Forced labor is widespread and impacts upon entire communities. In extreme cases, an entire village may be called to work. On 15 January 1999, for instance, the chairperson of a village was reprimanded for failure to supply the military with laborers. To compensate, the *entire* village had to present itself by 6 o'clock the next morning for labor.

Besides being a severe form of economic oppression, forced labor is also a source of terror to communities due to the violence that often accompanies it. In interviews with people who have been subjected to forced labor, many have either witnessed violence or been subjected to it themselves. One woman described the treatment received by two friends. She said:

"I saw them beat my friends. I don't know their names, we didn't know each other very well. They were from other villages and had come to live with us when we were all forced to relocate. The soldiers said to them, 'do it nicely.' My friends said, 'We have never done it before so how can we do it nicely?' Then they beat them. My friends were women about the same size as I am. They beat them with a stick wider than my big toe. They hit them too many times for me to count. Some of them were crying."

The Special Rapporteur on Burma for the UN Human Rights Commission , Rajsoomer Lallah, has also documented violence against women in his interim report to the UN General Assembly last year. He cites the case of one woman who fled to Thailand after being forced to work as a porter four times while still nursing her baby. She was also beaten. In another case, women of Shan ethnicity were among a group of porters forced to carry chickens and dried meat for a military unit from Murngtorng. The porters had to sleep on the ground, tied up with a yoke, but the women were kept separately. At night, their screams

were heard by a farmer who was also part of the group of laborers. Though not stated here, it is not uncommon for women porters to be raped by soldiers.

Though only a few examples are given above, forced labor carried out in Burma is extensive, as is the violence that accompanies it. The Special Rapporteur gives the example of the construction of a temple in Kunhing in 1999, which used forced laborers. At any one time, 10% of the workforce was forced labor, including 8 to 15 year old children.

Violence in detention

Women may be detained for their political activities, involvement in ethnic resistance movements, or even simply perceived links to anti-regime groups. When women are detained, they are extremely vulnerable to rape and harassment. Violence is used to terrorize not only the women and their communities but to demoralize the men as if to say they are not strong enough to take care of their own women.

In one instance in May 1999, 4 married couples were detained when the captain of a battalion did not recognize travel passes issued by another battalion. They were held for 3 days and nights, and the women were taken to another place and raped every night. They were released only when their relatives paid 10,000 kyat per couple. A Karenni woman related her 15-day detention at a military camp as follows:

"In Baw Ka Hta [Army camp] they interrogated us and accused us. They said that we are the wives and children of men who live outside the village and that they would kill us. They said that people from our village have radios and landmines...They said they'd had an order from higher up that they must kill us. ... He said that if we lied to him, he would kill us, but if we 'gave them our meat' he would release us with our lives. ...He forced us to sleep with him. He asked for love. I told him, 'Captain, I am 51 years old. I am the same age as your mother so you'd better not say that word to me. You should also remember that you are a Christian.' He said, 'I won't suffer in Hell.' ...I apologised but told him not to do that to me because I am old. Then he said, 'Then I must kill you, Mother.' He said it slowly, then he forced me to lay down and hold his penis. I didn't dare hold his penis, but he drew my hands and forced me to hold it...While he was doing it he threatened me with a dagger, he touched it to my chest, neck and armpits.'

Other acts of military violence

Women are also victims of violence when they encounter soldiers or when troops enter their villages. At the end of

Young women of Mon nationality at a refugee camp on the Thai-Burmese border celebrate Union Day, 1999. The women are wearing "yellow flower badges", a symbol worn by many women from Burma to symbolize their desire for human rights and democracy. Photo: Altsean-Burma

October 1999, four women who had been forced to relocate returned to their fields to reap their rice. They ran into 30 SPDC troops and were subsequently raped and killed. The captain of the battalion accused them of providing rice to the Shan resistance. When the troops returned to the relocation site, they told authorities and community leaders that they had gone to shoot rebels but as all the men got away, they were only able to kill 4 of the wives. The townspeople had to go and find the bodies themselves in order to determine the identities of the women killed.

64 SHAN MASSACRED IN KUN-HING

On 23 May 2000, a column of 90-100 SPDC (State Peace and Development Council) troops from IB246 led by Capt. Htun Aung seized and gathered 64 displaced people, including men, women and children of all ages, who were staying and working in their farms outside Kun-Hing town and near the main road, and shot all of them dead in a group.

On the day of the incident, the troops searched the area and seized all the people they found staying at their farms and brought them together to a place between Saai Mon village and Kun-Hing town, about 20 metres south of the main road. There were altogether 64 men, women and children of all ages.

The SPDC troops separated all the men from the women and children and lined them up, while some of them made the women and children stay together in a group, and shot all the men dead.

The women and children were so terrified by the gruesome scene that they cried and screamed and tried to run away. The troops then turned their guns and fired at them until they all fell dead on top of one another in a pool of blood.

From Shan Human Rights Foundation (SHRF) Monthly Report , June 2000

Among the regime's troops, the most feared in Karen areas are the *Sa Thon Lon*, the Bureau of Special Investigations of the Directorate of Defense Services Intelligence and its Guerrilla Retaliation squads. The Guerrilla Retaliation squads work in small groups with the explicit purpose of executing anyone suspected of present or past connection with the Karen National Union (KNU) or the Karen National Liberation Army (KNLA).

The Guerrilla Retaliation squads are known for being especially brutal. If they even suspect that someone is a supporter of or involved in activities of the KNU or KNLA, their methods of execution are often gruesome. People have been repeatedly stabbed and dismembered, no questions asked.

In one case, a Karen couple had no idea they were targeted by the squad because the only link they had to the KNLA occurred years earlier when the husband worked as their occasional guide. The wife's brother describes how his sister was almost murdered:

"They captured her, tied her up with rope and then beat her head until her head was broken. Her husband ran away, and they shot at him while he was running but he wasn't hurt. Then they tried to finish killing her. They were beating her to death with a gun butt, but she wouldn't die so they slashed her with a knife. They cut off her ears. There was a set of ornamental earrings worth over 10,000 kyat in her ears. They slashed her chin and her face and left her to die, but still she didn't die.

Later, her brother secretly took his sister to a hospital where the doctor was able to treat her. She lost her ears, but her mouth was sewn back together. When the Guerrilla Retaliation squad learned this, one of the members went to the hospital and threatened to kill her as soon as she left the hospital.

VILLAGERS FLEE AS SPDC TROOPS RESUME BURNING AND LANDMINING OF VILLAGES

Villagers from Dweh Loh township, just south-west of the town of Papun, have begun fleeing the area in large numbers after SPDC troops burned and then landmined at least 9 of their villages in March 2000. At the same time, villagers throughout the region have been fleeing in increasing numbers from increased SPDC militarisation and forced labour.

Villagers from the 9 burned villages in the hills above the SPDC garrison village of Meh Way told KHRG that SPDC columns entered their area at harvest time in November 1999, causing all of them to flee into hiding in the forests to avoid forced labour and forced relocation. While they made forays from their hiding places to try to retrieve rice and belongings and salvage some of the harvest from their fields when they could, the SPDC columns began mining the pathways around their home villages...

The people of other villages in Dweh Loh township are also fleeing, telling KHRG that they cannot bear the increasing burden of forced labour demanded by SPDC Army camps, building barracks and fences, building and maintaining roads, cutting and hauling bamboo and firewood, standing sentry along vehicle roads and going as porters.

From Karen Human Rights Group Information Update: April 25, 2000 / KHRG #2000-U1

Consequences of reporting sexual violence by military personnel

In general, survivors of sexual violence face not only the physical impacts of violence but are also stigmatized for their experiences. In cases where women do have the courage to speak out and file complaints against military perpetrators, a small amount of money is occasionally given to the family as "compensation". More often, however, the perpetrators face no consequences and those who report the crimes are further harassed.

In one case in June 1999, four women were raped after interrogation about their links to Shan resistance forces. The father of the youngest victim complained to the headman and members of the Village Committee, so they all went to the battalion and filed a complaint with the Commander. The Commander lined up 70 soldiers and instructed the girl to identify her rapist. The man, however, had been purposely left out of the line-up, and therefore could not be identified.

The headman and the Village Committee members were then accused of defaming the military and were detained in the prison at the military base. This was not the end. The following day, the headman was beaten until he lost consciousness and the families were ordered to pay 2,000 kyat each for the release of the detainees. Then the four women who had been raped were also fined 500 kyat each.

Forced marriage

Marriage is sometimes forced upon women, especially in conflict areas, when a Burmese officer takes a fancy to a local girl or woman and demands her in marriage. Sometimes the woman's family or community will encourage her to marry if they are afraid of the repercussions of her refusal. Other times they may protest, but the women are taken away by the military and forced to marry. In other cases, village leaders will try to arrange for the marriage between a woman and a man who has raped her in an attempt to "normalize" the situation. In one community, the situation was explained like this:

"They like to marry women who are too young. One soldier wanted to take a 12 year old Kayah girl named C— as his wife. People told them the girl is too young and not to take her but their commander forced the people to give her to his soldier. The girl had to agree even though she didn't want to. Another girl, L—, was studying in grade 8 and had to stop studying [to marry a soldier]. She was 14 years old. An 18 year old girl named H—also had to marry a soldier. They didn't want to marry the soldiers but the commander said they should marry his soldiers so they had to do it. That was last year. One of the girls is close to having a child. Their parents aren't very happy about this."

Others have testified that there is a policy of encouraging soldiers to marry ethnic nationality women. They are promised monetary awards or promotions, the scale of which depends on the education and social rank of the woman. This is significant for two reasons. One is that because the ethnicity of children is most often determined by that of their fathers, marriage between Burmese soldiers and ethnic nationality women contributes to the military's program of Burmanization in ethnic regions. Also significant is that because soldiers are looking for marriage for promotion or profit, marriages end when troops are rotated out of the area. Women are then left behind with children and receive no compensation from the fathers.

A cause for hope

Despite the extreme oppression that indigenous groups in Burma are subjected to, there is still cause for hope. The growing commitment to human rights and the democratic process amongst many ethnic groups has positive implications for the future of these communities. So, too, is the growing capacity for groups to negotiate with each other. Local communities have found ways to continue their resistance to the SPDC, often in non-violent ways. Their capacity to document abuses and smuggle such information to exiled groups is one such means.

A key development amongst the ethnic women is their increasing ability to speak out for themselves before the international community. In January 2000, a committee of refugee women's organisations presented a shadow report to the 22nd session of the Committee for the Elimination of All Forms of Discrimination Against Women, to counteract the junta's assertion that women are entirely equal in Burma. Such efforts should be widely supported and amplified. *"As long as the SPDC refuses to acknowledge the civil war and the rights of ethnic nationalities, the situation for women in Burma will continue to deteriorate"* – Burma: The Current State of Women, A Shadow Report to the 22nd Session of Cedaw.

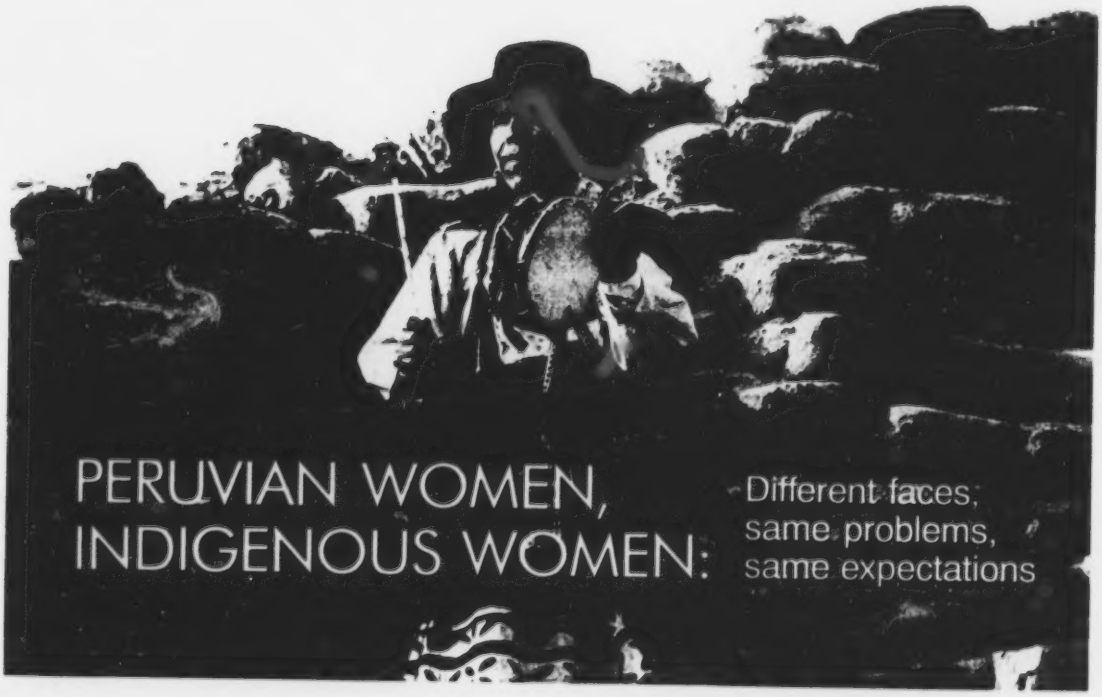
Many parts of this article are extracted from the Women's Report Card on Burma, April 2000, Altsean-Burma. Many thanks to Madoka Chase for the excellent research.

Debbie Stothard *is the Coordinator of Altsean-Burma (Alternative Asean Network on Burma). It is a network of activist organisations from Asean member states supporting human rights and democracy in Burma in particular, and South East Asia in general. Debbie Stothard is Malaysian and is based in Thailand. She has been working on Burma issues for 12 years.*

By Tarcila Rivera Zea

Throughout my nearly 50 years of life, I have asked myself who we are, we Quechua speakers, who and what we are, we indigenous and provincial migrants to the capital. With the passage of time, my years and my experience, I have continued to wonder: who are we Peruvians, women and men, living both inside and outside of Peru, what links us, what is the common bond that joins indigenous, mestizo, black, Chinese, niseis and all those we call white, the middle class professionals, workers or rich Peruvians.

And so I look at myself, and at my Quechua-speaking brothers and sisters, at my Aymara brothers and sisters and at the more than 60 different Amazonian nationalities, the Mayans of Guatemala, the Mixtecas of Mexico, the Cree of Canada, the Navajo of North America, the Inuit of Greenland or Canada, the Maasai of Africa, at the indigenous nationalities of India, the Philippines and Hawaii, to name but a few, and I see myself reflected in each and every one of them.



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Indigenous women from the Altiplano, Peru. Photo: Diana Vinding

When, twenty years ago, people spoke of 'indigenous', we ran the risk of being considered members of the CIA or of "dancing the dance of the good savage", of having a social ...p on our shoulder, frustrated and with a complex.

...n these 20 years, we have progressed to the point of re...gnising ourselves as indigenous peoples and cultures with rights and obligations that must be exercised and respected, with territory and land to defend, with knowledge, technology and resources to share and recognise. We know that we are descended from civilisations that developed hydraulic engineering, and terraces on which to grow crops, that we looked after the forests, medicinal plants and animals for many thousands of years, using only what was necessary for our subsistence. We have reached the United Nations, where we have asked that we should not be known as tribes, minorities or ethnic groups but as **peoples and cultures**.

We have achieved the formulation of ILO Convention No. 169, which recognises the rights of indigenous peoples, and Peru is now a signatory to this Convention. *The UN Declaration on the Rights of Indigenous Peoples*, which the UN has been working on for more than 10 years along with indigenous participation, is now with the Commission on Human Rights; the declaration of the *UN Decade of Indigenous Peoples* has been achieved, and this runs until 2004. We are working on the creation of a *Permanent Forum for Indigenous Peoples* within the United Nations system [1], as well as on draft plans for the *Intellectual Property Rights and Traditional Knowledge of Indigenous Peoples*. Also underway is the *American Declaration on the Rights of Indigenous Peoples*. These are international instruments that will legitimise the rights of more than 50 million indigenous Americans.

In Peru, according to the official census of 1993, indigenous peoples and cultures make up 42% of the total national population of 22 million. We Quechua, Aymara and more than 60 other different Amazonian peoples consider that we make up 60% of the population as the census only relates to those living in communities and not to our migrant brothers and sisters living in marginal urban districts and working as labourers in factories or in the urban informal sector, or those who leave the country in search of opportunities and who work as unskilled labourers in many foreign countries. They, too, are indigenous.

Women in Peru

According to the official census of 1993, 50.39% of the national population are women, that is 11,098,981.

- 7,852,110 women live in urban areas due to migration or centralism, the capital alone is home to 3,243,782.
- Of the 50.7% of poor people in Peru, 14.7% of us live in extreme poverty, the mountain and rural forest areas accounting for 36.4% and 32.6% respectively.
- Those living in extreme poverty number 3,576,227, of which 15.6% consist of female-headed households.
- 23% of poor women have no education and 42% have some primary education.
- There are still 1,297,168 people considered to be illiterate in Peru, of which 73% are women. In Ayacucho, where I come from, there are *68,749 illiterate women.*
- The rate of maternal mortality amongst women with no education is 489 deaths per hundred thousand births.[2]

Composition

This female population is made up of poor mestizo women, blacks, and largely indigenous and non-indigenous who migrate from the provinces in search of better conditions, firstly for themselves and later in the hope of an education for their children. They live in the poor districts, they are found in survival organisations, in the markets, on the streets as itinerant sales women, in the few factories that exist, in the service industry (business, restaurants, petrol stations), etc. In the last ten years, Peru has exported cheap labour in the form of poor and professional unemployed women for domestic service in Italy, Spain, Argentina, Chile and the United States due to the fact that there are virtually no job opportunities in Peru.

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What is the common denominator amongst Peruvian women?

Being poor and being a woman: in spite of the personal efforts of a large number of women who struggle to gain some level of education or training, opportunities are few due to the unemployment that exists in the country, along with the exclusion due to gender and ethnic discrimination and the lack of professional qualifications.

There have been huge advances over the last 10 years in the dissemination of fundamental human rights and laws that defend women's rights, as well as in the strengthening of women's organisations, which have proposals to make for alternative socio-economic development that is appropriate to their reality.

The feminist movement has played an important role - along with NGOs, organisations, civil society, lawyers and intellectuals - in making progress with demands, seeking spaces for participation, influencing policy formulation, laws, visualising problems and seeking alternatives with which to improve the conditions of Peruvian women in general. All of this is significant progress.

Shipibo woman, Peru. Photo: Diana Vinding

Indigenous women

But in this context, we indigenous women have still not managed to gain recognition or respect with regard to gender, ethnicity or culture.

In our areas of origin, we provide sustenance to the household, the family and the community and we are responsible for passing on our culture but we still do not have the recognition or respect that we deserve as women, wives and people.

When our grandmothers tell us that we must not depend upon the will of men in order to dress better or eat better, we feel that they are passing on to us security, independence and capability that we can use in our daily lives, in our lives as couples, working together with the man, producing and reproducing. But we see that this contribution, this effort, is still neither truly recognised nor respected.

It has cost time and effort to understand that we are not just the product of man's rib, to understand what was a Mama Huaco (image of a woman soldier), that we have knowledge to share and that we do not want our fathers to continue to say who our husbands will be.

We do not want our husbands to get drunk and mistreat us. We no longer want them to decide what to do with the money that is the fruit of our labour.

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Participants at the meeting "Indigenous Women on the Edge of the Millennium: an International Work Group" *in Peru, 1999. Tarcila Rivera Zea is second from the right.*

We do not want only the men to go to college, leaving women behind to do the household chores. We no longer want "all the children God sends us". We now know that illnesses known to be incurable in the community are not all down to witchcraft.

We do not want to make big efforts to gain an education for our children only to find there is no work, or efforts in our fields only to find the fruits of our joint labour have no market.

We do not want our daughters to end up as mere domestic servants or unemployed, nor do we want them to return to the capital ashamed of us, of our plaits.

We do no want our children to grow up in slums and to become gang members, chicha sellers or criminals because they are not accepted, because they have no opportunities or because they are disadvantaged.

We want: to be recognised as women, Quechua, Aymara and Amazonian, with knowledge, capacities and aspirations. We have learnt that the fact that we speak Spanish badly should not be a reason for jokes or contempt. We have learnt to nurture a great number of seeds with which to feed ourselves, we know which plants are good for our health, we have learnt how to make our clothes, from sowing the cotton to making them with our own hands.

We have learnt that everything we have in our history, knowledge, resources and values is good for all human beings.

As indigenous women, we have made progress by joining with other women from other countries and we have found that we can also make a joint effort to defend the rights that other women already have but which we are still denied, due to our lack of knowledge or the ignorance of others.

Since 1994 we have met with people from the Andes and people from the Amazon in order to get to know and respect each other's cultural diversity, uniting as peoples, as women and as poor women. We have learnt that it is not a natural condition to be discriminated, mistreated or disadvantaged.

Our common dream

We have learnt that all Peruvian women, rich and poor, want to be respected, want to be given a space to make our voices heard, want to be given equal opportunity of work, of salary, in order to be able to say what we want to be and do.

We all want to be educated, to say "I know how to do this" or "I know how to read and write", to have training in order to be able to undertake any job in any part of the country. We want to be listened to when we propose something good or have an opinion. We do not want our citizenship to be reduced to an electoral vote – we want to exercise our full rights as indigenous and Peruvian women. Our common dream as women, as Peruvians of all kinds, is that solidarity, equality and justice should cut across the gender barrier. The common dream of being respected, wanted, of being electors and elected, of eating well, dressing well, having work, of being able to exert our own free will, are dreams common to all human beings, both male and female.

The dream, in our specific circumstances, is that we will no longer be the sector of the population that lives in extreme poverty, that illiteracy will disappear, that we will not be the butt of people's jokes, mockery or scorn because of our cultural specificity, that our children – both girls and boys – will have opportunities in the areas of education, health and work.

Let us join together, women and men, indigenous and non-indigenous, to build a New Millennium based on equality, justice and humanity. Let nobody be left behind or be in front.

Notes

1 The establishment of The Permanent Forum for Indigenous Issues has been adopted by ECOSOC in July 2000.

2 National Institute of Statistics and Information. National Population Census 1993.

Tarcila Rivera Zea *is a Quechua, and President of Chirapaq, Centre for Indian Cultures. For more than twenty years she has devoted all her time to actions for the defence, recognition and appraisal of indigenous cultures in Peru. She has contributed with proposals for the development of indigenous peoples, promoting spaces for the advancement of women and children, mainly in Peru, but also through her contributions in international fora.* ❑

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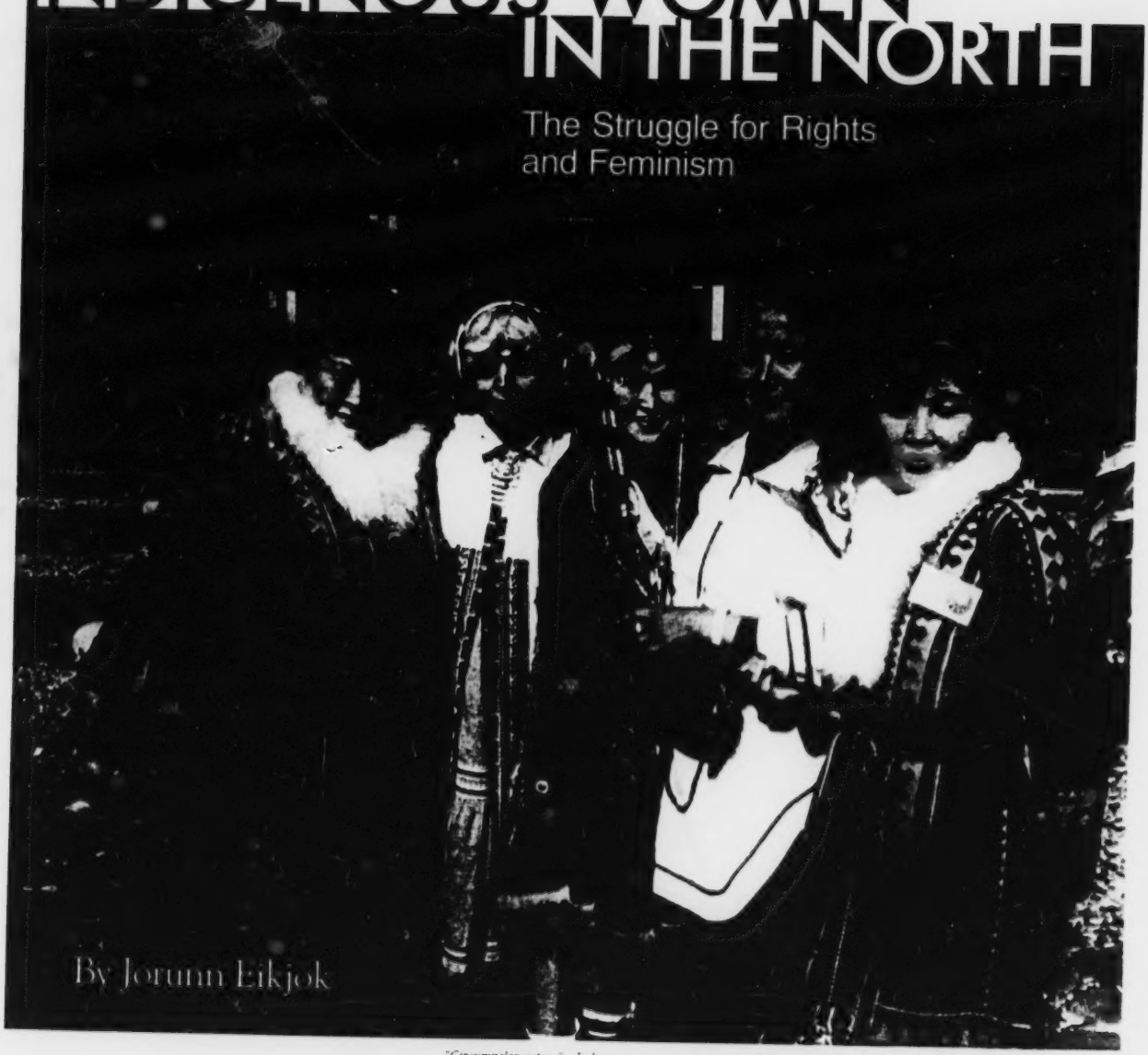
INDIGENOUS WOMEN IN THE NORTH

The Struggle for Rights and Feminism



By Jorunn Eikjok

"Circumpolar sisters" – Indigenous women representing different indigenous peoples in the Circumpolar area. Photo: Ola Ro

A few years ago, I was sitting talking with a Sámi girlfriend over a beer in a basement pub in Tromsø, a university town in North Norway. A male Sámi journalist came over to us and matter-of-factly asked what we *"rødstrømper"* ("women's libbers"), were busy with at that time. In the early 1990s, we still wore the label *"rødstrømper"*. It seems this concept survived longer in the Sámi community than in the rest of the North. Perhaps it was because we Sámi *"rødstrømper"* were fighting so many battles at the same time?

In the early 1970s, a Sámi activist movement was started – the ČSV Movement. It was similar to many liberation movements around the world at that time, and there were just as many activist young women as men. Gradually, a number of us ČSV women also became engaged in Women's Lib. While fighting for our people's rights, we were also fighting for women's rights. Compared with our Sámi brothers and our Nordic sisters, we thus had an extra battle to fight.

"All women are equally oppressed"

In the 90s, we participated in the national and Nordic planning group for a large Nordic women's conference. Our task was to define the issues of Nordic women for the next millennium. When we, who represented immigrant women and indigenous women, expressed ourselves about *our* problems and *our* issues, our fellow sisters, who represented women's organisations in the wider community, called it politics. If we thought we could "drag in immigrant questions" and "discuss Sámi politics" in this forum, we had totally misunderstood the entire women's case! They perceived this as extremely provocative. We had to stick to what was *common* to all women. Themes concerning ethnicity, race and culture were not allowed in fora where women's issues in the North in the new millennium were to be discussed. In this way, we were prevented from bringing our experiences into this common forum.

We were unpopular among our Sámi brothers for introducing the women's cause into the struggle for our people's rights. We were unpopular among our fellow sisters in the wider community for bringing in our ethnic and culture identity as women. Our brothers ridiculed us because gender was irrelevant for them; our Nordic sisters rebuked and lectured us because the minority and indigenous question was irrelevant for them.

The women's struggle and the Sámi movement

The women's struggle dealt with creating equality with men; the Sámi movement concerned creating equality between our people and the Nordic community at large. It involved fighting against the oppression of our language, culture, human worth and dignity, and creating better alternatives for our people. The women's struggle had men as an adversary because we challenged the gender roles. The struggle for our people had the Norwegian community at a whole and the State as adversaries because we challenged old stereotypes and the inferiority to which we had been relegated. In other words, we Sámi women had a large arena to challenge and change in order to create a fair and just space for us as both Sámis and women. We constantly had to make obvious and redefine accepted truths about us, both as a *people* and as a *gender*.

We fought the Sámi battle with our brothers. It concerned creating a common unit outwards in relation to our demands. Our women's demands were regarded as a disturbing noise in the common voice. Our bothers, especially those of our own generation, perceived this as threatening. We were ridiculed and virtually accused of being traitors in relation to our joint project within the Sámi movement.

The Sámi women's movement

In our Sámi ethno-political movement, until the late 1980s we said that Sámi women were not as oppressed as our Nordic sisters, that in the Sámi community, women and men were equal. Some environments in the wider community also adopted this understanding. We even counted our "gods" and "goddesses" within traditional Sámi mythology and discovered that there was *one* more female goddess than male god. This was interpreted as a confirmation of our equality with our men! Little did we understand then that this sphere has no significance for the worth of women in everyday society. It is an erroneous idea that in indigenous society, where Mother Earth or female goddesses are worshipped, women are more respected in everyday life.

Sámis have been surrounded by the wider community for several hundred years; we have always had to define ourselves in relation to the surrounding majority community. One way of doing this was by revealing the contrasts between us and the others. Sámi woman thus became one of the strongest symbols for distinguishing between what was Sámi and what was Norwegian. In this context, the Sámi woman was defined as an "all mother" or "cultural mother" for our people.

"The strong Sámi woman" was also a created image. We know from all societies going through serious change that women have a tendency to be ascribed such a symbolic value. It has more to do with a desire of how the society wants women to be, and woman as a symbol of security, than reality for the women themselves. The rhetoric that our men and people in the wider community used against us feminist Sámi women was to refer to this symbol and our alleged equality with men. That is, our own experience of our reality was repudiated or attempts were made to explain it away with these myths. Sámi women are, of course, different from women in the majority community; this is more related to the different adaptations and conditions than to our inherent qualities as Sámi women.

In the Sámi community and in many other communities there have been found – and there still are – remains of social organisations where there was / is a complementarity between women and men. These are mainly communities that had / still have a natural economy. The women have had a separate domain of power. The problem is simply that when the community changes, this domain loses its status.

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The Sámi women's movement started in 1978. When one of our seminars was advertised on Sámi Radio, those supporting it were referred to as "rebellious women". We demanded equality with our men and that our participation in the community should be valued. The Sáráhkká Sámi Women's Organisation was organised throughout Sápmi – Sámiland, i.e. Sámis in Norway, Sweden and Finland. In 1991, Sámi women in Russia were also included. In 1993, we all travelled to Lujávri / Lowosero, a Sámi village in Russia, to hold our annual meeting. This was an opportunity for Sámis in Russia to make their situation visible. The Sámi women's movement has undoubtedly meant a great deal for the democratisation process among the Sámi in Russia.

Over the past 10-15 years, we Sámi women have also actively participated in the international indigenous women's movement. We also participate in networks for indigenous women in the circumpolar region.

Sámi women have always been very active in the struggle for Sámi rights. Actually, the first major Sámi congress in Norway, in 1917, was organised by a Sámi woman, Elsa Laula Rensberg. The struggle for Sámi rights culminated with the Alta conflict 20 years ago. The Norwegian authorities planned to build a large hydroelectric dam in the heart of Sámiland. We Sámi lost the river system but won the case. The result was the organisation of Sámidiggi (the Sámi Parliament) in Norway in 1989.

The Vice President of Sámidiggi has always been a woman. The question is: when will the President be a woman? Today, there are 39 representatives, of which 27 are men. There are only 12 women representatives. During the last elections, women were systematically crossed off the election lists. This means that women in our community do not have the same political trust that is ascribed to men, not because they are worse but for the simple reason that they are *women*. The images of us as strong and cultural mothers are not adequate when we are going to fight for power with our men. When it comes down to it, being a strong and dominant mother is not one of the qualities that count in the modern Sámi community. Perhaps it is also precisely this image that prevents women's participation in politics?

In addition, we know enough now about the relationship between women's and men's influence at a global level, that women can be more than qualified but that they have problems reaching where the decisions are made because men will not give them more influence.

The Sámi women's movement has been concerned with strengthening women's economic opportunities and their right to their own economic activities, as well as fighting for our language and culture. A number of positive things have transpired in relation to opportunities for Sámi women in the establishment of industries. The reason is largely that Sámi arts and crafts have achieved a generally higher status. It is still difficult for women to gain support for their own economic activities. This is related to the fact that those who apportion funds would rather support large-scale operations; their attitude is that women's ideas and businesses are too small and thus not worthy of support. It is still difficult for women to obtain support for their own economic activities.

The rights of indigenous women

As women, we have fewer rights than men in the community. As Sámis, all of us, women and men alike, have fewer rights than members of the wider community. When you belong to a minority and are a woman, you systematically carry with you different opportunities for power, economic resources and knowledge compared with men and the remainder of the Norwegian population. Our opportunities and solutions as Sámi women are associated with the tolerance and general rights that the wider community is willing to give us as people. It is a matter of achieving collective rights for the self-determination of indigenous peoples to exist as well as individual rights for us as women. We do not want these collective rights to limit the Sámi women's individual rights to equality, security and development.

Our experience is that women's opportunities were not automatically strengthened with the establishment of Sámidiggi. In order to strengthen the rights of and opportunities for indigenous women in society, there must also be a separate women's politics in addition to indigenous politics in our political and administrative body. The fact that Sámi women have accomplished some things has more to do with the general improvement of opportunities for women in Norway during the last decades than because we have gained our own rights as Sámi women.

When indigenous peoples gain the right to self-determination it will, of course, also strengthen the situation of indigenous women. But this is not enough. Not until we indigenous women also have our own rights as women in our own community and in the wider community, can we say that our people have gained their full rights.

Indigenous women and feminism

To be a feminist is to be associated with white middle-class women. Feminism is perceived as very negative in the indigenous world; it has been reduced to being *anti men*, as opposed to being *pro women*. For me, being an indigenous feminist has more to do with a perspective of understanding and changing society than of feminism as an ideology. In the early years, when we in Sámiland started discuss-

ing women's rights, we were of the attitude that the wider Nordic community was to blame for Sámi women having fewer rights than men. In other words, oppression of women came from the outside. The women in our community had had a form of power. However, it related to the fact that, until the 1960s-70s, the Sámi community still had the character of a natural economy. Our community consisted of households that were at that time the supporting economic unit in the community. The households were the women's domains, and they had a huge workload and responsibility. When the Sámi community was integrated into the modern market economy, the women lost the influence they had. This socio-economic change led to a change in women's roles. A number of us therefore asked the question whether Sámi women had really had so much power previously, if it had been so easy to lose it. Were there perhaps already enough women-oppressing mechanisms in the traditional community, and was it not just the wider community's fault?

Indigenous women from the Circumpolar area. Photo: Ola Ree

To be an indigenous feminist is to be against the patriarchy, both in the Sámi community and in the rest of the world. The patriarchy is an exercise of male domination, a basic attitude that men are more valuable than women and thus have the right to dominate. Patriarchy prevails throughout the world, unfortunately also in the indigenous world. It involves men being raised to perceive women as being of less worth than themselves. This is why change strategies are also about changing these attitudes with our men. How can we strengthen women's opportunities and rights without taking this into account? The problem is that the patriarchy is an attitude that is so deeply anchored in the cultures that we *all* carry in our subconscious, both men and women. This system is oppressive, not only for indigenous women but also for our men and our indigenous societies.

Colonialism is an extension of the patriarchy, and forms its expression as the exploitation of women, indigenous peoples and nature. Colonialism carries with it destructive attitudes that have been introduced into our community in different ways. All of us, both indigenous women and our men, must always take into account these negative mechanisms within our communities and how they characterise us. We cannot simply place all the blame for oppression of indigenous women, our communities and nature on the wider community and outside systems. We must ourselves take a responsibility to secure human rights for our people, individuals and groups.

Therefore, in discussing self-government schemes for indigenous peoples, we must carefully evaluate *which* of our traditions are worth basing our community upon. Those of our practices and customs that steal human worth and dignity and the opportunity to be a complete and valuable person, including oppressing groups in our community, should be tossed onto the scrap heap of history. Such traditions are no more exalted, even if we have inherited them from our foremothers and forefathers. Let us rather take care of and reshape our indigenous communities based on all the universal and humanistic customs and knowledge we have inherited.

We must be brave enough to have this discussion; it is certainly not an easy one. Those who dare to challenge accepted truths, particularly we indigenous women, are often given a negative label and can experience the sanction of our own people. It is very painful for those who experience it. It is also associated with the fact that we indigenous people are all too often forced to talk to the wider community with a common voice. That is why women's struggles for rights often become rasping in this uniform voice. This limits the right to diversity and the right to varied experiences in our public discussions.

My ambition as an indigenous activist and feminist is to work together with other indigenous peoples on all types of initiatives that involve the strengthening of human worth and dignity in our community. It will be about fighting against the patriarchy and colonialism, but most of all it will be about inspiring and strengthening each other in creating systems for self-government based on the power of our indigenous experiences and the values in our cultures that endure the light of the future.

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AFRICAN INDIGENOUS WOMEN IN THE 21ST CENTURY

By Lucy Mulenkei

As bells tolled and cheers rang out loudly, people came running to look at the sky to see a new dawn of a long awaited millennium. The African indigenous woman in her small hut in the thicket and silent night had nothing to cheer about.

Despite it being the turn of a century in which women from other parts of the world have made major strides in advancing their positions, African indigenous women continue to lag behind in development.

The main problems faced by African indigenous women are marginalization and discrimination. The African indigenous woman has not been given the chance to make any decisions on issues affecting her life. These range from health, education and decision-making to owning property and legal rights.

Believe it or not, among the Somali: "It's bad for men to travel in a car with a woman. You must add a stone so that the bad luck goes to it."

There is a lack of recognition of the different roles that she plays in society. An African indigenous woman's leadership skills are not recognized. In the Indigenous communities she cannot take up an administrative position such as that of a chief, even though it is a government appointment. A woman is regarded as one who cannot address a *baraza* (village conference), which is usually only attended by men.

Violence and lack of economic empowerment

Violence is a common occurrence and most indigenous women have come to believe that it is part of their daily life. Apart from domestic violence where her husband will beat the women in the name of disciplining her, there are also clan wars which have affected her security situation. Pressure on resources, such as diminishing grazing land and population pressure, has led to increased fighting among neighboring communities. It is the women who end up suffering the most when they are caught up in these circumstances. During the fighting and cattle raids, the

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women are raped and, in many instances, widowed. Children are left orphaned.

The recent drought in most parts of Africa, especially in Kenya, Somalia and Ethiopia, has left indigenous women in the worst condition. Having lost their livestock due to the drought, many women such as those in northern parts of Kenya are migrating to urban centers. Here, they move around with their children because the men have taken the few animals left behind to neighboring countries in search of water and pasture. Suffering from lack of food and a consequent inability to obtain a balanced diet, the woman and her children suffer from health problems such as malnutrition. For instance, in north eastern Kenya, in a town called Wajir, over 1,500 Somali women have moved into the town center. Most of them have no less than six children each, and matters are made worse by the fact that accommodation is also a problem for them in this town. It is difficult for them to afford education for their children despite trying to do a little business, which may only enable them to put food on the table. There is a fear that soon some of these women will turn to prostitution. This has often been the alternative for women in such situations.

Indigenous women also lack economic empowerment due to lack of resources. Donors avoid funding projects in pastoral areas citing "security risks" as a hindrance. Easily accessible areas are prone to attacks by bandits and donors will not easily agree to go to these areas for fear of being attacked on the highways.

Ideally, what indigenous women need is training in how to manage their own resources. To try and get funding for an indigenous women's activity is a struggle and one has to look for donors from outside the continent, who seem to understand better. Indigenous women from all over Africa face this problem. It is hard for them to raise funds because the donors prefer to fund long existing feminist groups that have already made a name and established themselves.

One important thing to note is that African indigenous women have the strength but lack the capacity. "We have the strength and the will but we don't have the capacity," says Amina Mahadi Noor, chairperson of *Kulmiarta Wajir*. Training on aspects such as leadership, lobbying, advocacy and project management could take a long time to be achieved. The women need to be actively involved in decision-making and be allowed to have opportunities in the social, economic and political arena.

First, African indigenous women must have a structure, which they are currently lacking. This body has to be legally recognized and be coordinated by Indigenous women themselves. With a legal entity, the organization will be able to fundraise and organize its activities effectively.

The many issues mentioned need collective coordinating in order to bring about change. Issues such as land rights cannot be easily dealt with by one individual. This is an issue that affects all indigenous women in Africa, who have no rights to land or property. Even if one is single, widowed or divorced, all the property belongs to a male member of the family.

It is, however, positive to note that despite all the general problems mentioned, a journey has begun. In August 1999, a meeting entitled the *Eastern African Indigenous Women's Conference* was held in Nairobi. After three days of deliberations, the indigenous women came up with recommendations that clearly show their requests and a need to follow-up issues of critical concern, not only to them alone but also to indigenous peoples in general. One such concern is the appeal for governments to ratify ILO Convention No. 169, among others. It is our hope that with the help of governments and the international organizations who are friends of the Indigenous peoples and the Indigenous peoples organizations and networks themselves, the recommendations can be implemented.

Recommendations from the conference

The following are recommendations from the conference:

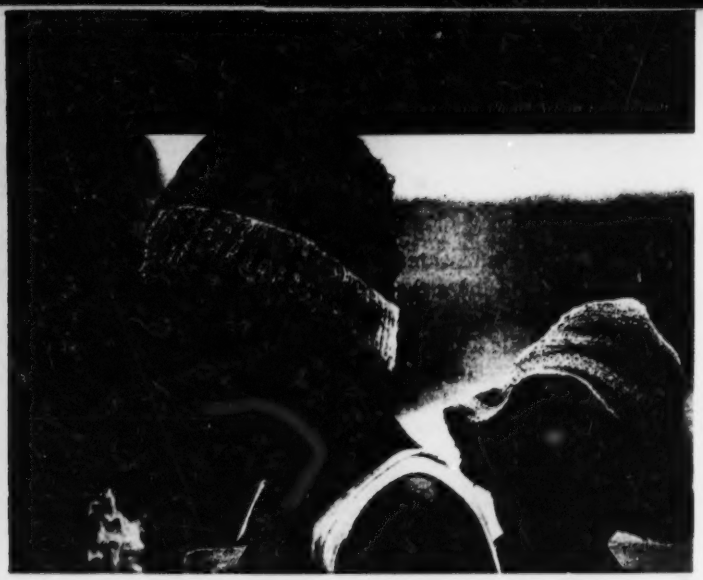
1. Instead of waiting for dwindling external support, Indigenous women should promote themselves through basic (fundraising) systems. This should enable them to start income generating enterprises such as pot making, preparing herbal medicines, ornament and bead making etc. Viable projects, which can be easily adopted by women, should be given priority.

   There is a need to promote barter trade among indigenous peoples in different areas and countries. For example, Turkana baskets can be exchanged with Maasai beads of the same value through trade-offs.

2. Lack of and poor transport has seriously affected Indigenous women. Living in the most marginalized areas, Indigenous women face constraints in their transport. They walk long distances to reach grinding mills or health centers. They also walk long distances with heavy loads of firewood and water.

   The transport burden should be reduced by key access interventions such as improvement of tracks and foot paths, maintenance of road standards and development of low cost intermediate modes of transport i.e. drawn carts, bicycles etc. This should

Samburu women, Kenya
Photo: Diana Vinding



ensure accessibility to goods and services /socio-economic amenities i.e. schools, health facilities etc.

3. ILO Convention No. 169 should be translated into local languages for the Indigenous peoples to understand fully. The ILO Project for the Rights of Indigenous and Tribal Peoples should follow–up and work closely with the Indigenous Peoples of Africa in order to ensure that the recommendations are implemented. The ILO Project for the Rights of Indigenous and Tribal Peoples together with the African Indigenous Women's Organization (AIWO) should continue working together and following-up the conference at the country level in order to allow more Indigenous women to participate.

4. All communities should be encouraged to protect and safeguard their biodiversity and traditional medicine for future use. Indigenous women, who are educators and the main users of Indigenous knowledge, should educate, sensitize and encourage communities to protect and preserve their natural resources.

5. Pressure should be put on governments to establish laws and policies on land that respect and protect the land belonging to indigenous peoples, giving them access to use natural resources freely and to protect them from external effects (e.g. exploitation by outsiders and natural disasters).

6. To promote the education of girls, there is a need to set up a girl-child watch in villages - to identify the causes, effects and solutions of various educational problems facing girls. This should target both boys and girls in monitoring education in order to minimize child discrimination. There is a need to educate girls to the highest levels possible, as they are the future mothers.

7. Since indigenous women are victims of wars and conflicts, they should be involved in peace initiative meetings.

8. There is a need for literacy classes in order to teach the women simple book keeping. In the adult education program, teachers can work hand in hand with communities. One example of this is Samburu in Baragoi in Kenya where, after shepherding, they go to school - this promotes writing and reading skills.

9. There is a need to promote health by organizing seminars and workshops on health matters such as HIV/AIDS, family planning methods and to introduce mobile health services. Indigenous people should not be used as guinea pigs; hence the government should be accountable and provide them with information so as to avoid risks.

10. Land laws should be repealed and Indigenous women should participate in managing natural resources such as the land. To avoid rampant selling of land, there is a need to encourage other income generating activities. Indigenous women should be informed of their right to give consent to selling land through the land control board. Awareness should be created to ensure that customary law is used positively.

11. Indigenous women should participate in the political process i.e. constitutional reform forums/ advocacy to eradicate the cultural, legal and political obstacles to women attaining economic independence and equality before the law. Raise public awareness and systematically engage in gender sensitive and gender responsive advocacy in poverty, governance and technology.

12. Exchange visits between groups of different Indigenous women should be encouraged in order for them to obtain first hand information. This should involve women's groups within and outside a given country. Policy makers, politicians and various stakeholders in development are to be involved in such visits in order to gain insights into the geographical areas and to see the plight of rural indigenous women.

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African indigenous women agreed that AIWO should reinforce solidarity at sub-regional and international levels and put in place a development policy for African Indigenous peoples.

It should also ensure institutional and organizational development so that the organization can be effective in influencing policies and development for the benefit of African indigenous women and men.

The women called upon AIWO to organize training for indigenous women in social and economic issues by strengthening local cross visits between indigenous organizations and later on, external, national and international visits.

AIWO must assist in instilling leadership skills in indigenous African women and encourage indigenous women's organizations to mobilize local resources and raise additional funds from other international organizations.

Indigenous women should be given a chance to be heard directly. They should be involved in formulating local / national policies and in rectifying international charters. Dialogue with indigenous women and men should be based on mutual respect so as to ensure that their opinions and aspirations are considered in the decision-making process.

There is a need for participatory mechanisms when deciding upon issues affecting indigenous women. There is a need to listen to Indigenous peoples and understand their situation within the society or communities in which they live. Societal structures should not alienate indigenous women and their organizations but rather be viewed as partnerships. Men need to be sensitized if anything positive is to be achieved.

Beijing + 5 meeting in New York

Indigenous women have already put themselves on the map and one good example was the participation of four African indigenous women in the Beijing +5 meeting in New York in June 2000. Among more than 4,000 women gathered in New York City from 1st – 9th June 2000 for a meeting to reflect on Beijing +5 were 100 indigenous women from different parts of the world. The International Indigenous Women's Forum had met as a forum from 1st – 2nd June, in preparation for the United Nations Beijing +5 meeting.

The main objective of the two-day forum was to introduce the participants to the Beijing +5 process and link it with other United Nations processes that Indigenous Peoples are engaged in. It was at this forum that they strengthened their networks and discussed issues of great concern.

It was also an occasion for the few who have been closely following the Beijing process and other UN processes to share their knowledge and experiences. The participants came from various regional and national Indigenous Networks that were born before and after the Beijing Conference. The African Indigenous Women's Organisation (AIWO) sent representatives from the Maasai of Kenya, the Batwa of Rwanda, and the Tuareg of Burkina Faso.

The Forum was organised by the International Indigenous Women's Steering Committee, which was formed in Lima, Peru, in November 1999, and co-ordinated by the Assembly of First Nations. It was sponsored by the Canadian Development Agency (CIDA), the International Work Group on Indigenous Affairs (IWIGIA), the Department of Indian Affairs and Northern Development (CANADA), the International Centre for Human Rights and Democratic Development, the Global Fund for Women, and the Department of Foreign Affairs and International Trade, Canada.

High on the list of concerns was globalisation and increasing poverty among indigenous women. Trade liberalisation has brought about the dumping of cheap highly subsidised imported agricultural products from rich countries. These compete with the traditional crops, which have been developed and nurtured by indigenous women.

Indigenous sustainable livelihoods and small-scale farms and businesses are eroded or destroyed. Thus the promise that liberalisation will bring forth economic growth and lessen poverty has not taken place in many Indigenous people's communities.

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MARGINAL LIFE IN THE MARGINAL LANDS OF KENYA:

The Impact of Drought on the Laikipia Maasai Community with a Specific Focus on Women and Children

By Johnson ole Kaunga

This article explores the cultural identity and historical and continued alienation and dispossession of the ancestral lands of the Laikipia Maasai in Kenya. It also analyses how these sustained negative forces contribute to the serious impact of the drought on the lives of the Laikipia Maasai community, especially women and children.

The Laikipia Maasai community currently occupies the Mukogodo Division (1,100 sq. km) of Laikipia District (app. 10,000 sq. km) in the Rift Valley Province of Kenya. The total District population according to recent census figures is 331,000, of which the Maasai form a mere 10% (33,000 persons). They occupy 10% of the total district (ironically named after the community!) land despite the historical reality that this was their original ancestral land prior to the dominating and alienating treaties of dispossession that the British colonial rule manipulated in Kenya in 1904 and 1911.

In 1904, the spiritual Maasai leader, Lenana, was manipulated by the British colonial authorities into signing the infamous treaty in which the Maasai community was required to move to the southern Maasai reserve (Ngong'), and the Laikipia (northern reserve) with the aim of freeing up the most fertile land for the British settlers (these areas occupied by the white community were re-

named the "white highlands"). The treaty states that the Maasai freely and willingly agree to vacate their tribal territory in favor of the crown. In the whole of the recorded history of British imperial rule in East Africa, the Maasai was the only community to sign such a treaty with a colonial Government. The agreement read thus:

> *"We, the undersigned, being the Laibon and chiefs of the existing clans and sections of the Maasai tribes in the East African protectorate, having this day 9th August 1904, met Sir Donald Stewart, His Majesty's Commissioner for East Africa, have , of our own free will, decided that it is in our best interests to remove our people and herds into definite reservations away from the railway line, and away from any land that may be thrown open to European settlement... We undertake to vacate the whole of the Rift Valley, to be used by the Government for the purpose of European settlement. Agreed that reasonable compensation will be paid for the Maasai cultivation at present existing near Nairobi, we bind ourselves and our successors, as well as our people, to observe this agreement. The settlement now shall be enduring as long as the Maasai as a race shall exist. This agreement has been read and fully explained to us and we hereby set our marks against our names."*

This was an injustice perpetrated against a community that was not in a legal position to understand, and had no legal capacity or basis to interpret, the implications and consequences of the treaties. It should be noted that none of the signatories of the treaty (representing the community) were literate. When the community wanted to challenge the agreement in court, they were defeated with the argument that the complainants were subjects of the crown.

In 1911, the Laikipia reserve was cancelled and all the Maasai were required to move to the southern reserve forming the current Kajiado and Narok Districts. This is where the Laikipia Maasai identity crisis began. As the treaties were already signed, it was mandatory for the Laikipia Maasai to move but they, nevertheless, refused. If they were to move to the southern reserve they feared for their lives as this area was dominated by the Purko-Kisongo Maasai section. The Laikipia Maasai had suffered severely in the late 1880s due to a conflict with the Purko-Kisongo Maasai (in fact, history records that the Laikipia Maasai became extinct) and the epidemics of the early 1900s, and the few kinsmen who survived the holocaust and internal strife feared for their lives if they should move. So to avoid being moved, the Laikipia Maasai had to deny their identity.

A group of elders went to the governor in Laikipia. They denied that they were Maasai and identified themselves as 'Ndorobo tribe'- meaning they were hunter-gatherers - and they won the case. Following this petition, the colonial government created a special reserve by the name of Mukogodo reserve. This reserve forms the current administrative structure of Mukogodo Division. In 1972, a group of elders challenged this identity before the authorities, denying the "masquerade identity" of being hunter-gatherers and proclaiming their original identity of Maasai, and the Mukogodo Maasai title was accepted just as Kajiado or Narok Maasai. Today, the community is fighting for its original name, which is Il-Laikipiak Maasai.

The argument herein is that the network of problems being currently experienced by the community cannot be detached from this historical process of alienation and dispossession.

The current drought situation

Driving from Nanyuki to Dol Dol (65km) in Mukogodo one can observe the severe drought and suffering of the Maasai pastoralist community. This area is part of Kenya's marginal lands (also known as ASAL- arid and semi-arid lands), which have been persistently experiencing tough and tragic droughts given that both the short and long rains have failed over at least the past two years. The communities who depend upon livestock and livestock products for their livelihood now find their very survival threatened. While no official national survey has been carried out on livestock mortality, it is estimated that 50% have died. The fragile terrain has been overgrazed, most of the boreholes have dried up or are giving decreased water output.

Various incidences of resource (pasture and water) and survival-related conflicts have become part of the daily life of pastoralists in different parts of the country due to the stress on diminishing resources, and most of the pastoralist groups are moving towards the south-Laikipia and Mount Kenya region.

The Samburu and the Pokots have moved to Laikipia, and out of desperation and left without choices or alternatives, they have, with the Laikipia Maasai, jointly invaded the commercial and predominantly white-owned ranches.

Laikipia Maasai children, Kenya.
Photo: Diana Vinding

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They drove their emaciated livestock onto the ranches to demand the attention of the government, policy makers, local and international media. Their voice was heard and various leaders supported the call for pastoralists to be given back their ancestral Land. The conflicts that followed the invasion created much tension and a confrontational situation leading to an appeal for understanding from the President during his public address to the Nation on Kenyatta Day.

A high-level negotiation involving senior government officials and pastoralists led to an express decision to allow pastoralists to graze their remaining stock on the slopes of Mt. Kenya. However, as Mt. Kenya is a high altitude zone, the already weak livestock became prone to disease. In barely two weeks, an estimated 10,000 cattle died from a combination of diseases, thus creating another uproar from the now organized pastoralists. They put forward another demand to the Government, that unless it sent in veterinary specialists and supplied veterinary drugs they would move onto the white-owned ranches. This was immediately agreed, with the support of the Hon. Francis ole Kaparo - Speaker of the House, a senior and respected dignitary who is a pastoralist himself.

In the neighboring Isiolo District, a resource-related conflict between Borana/Samburu pastoralists and Somali clansmen led to the killing of at least 60 people, including senior police officers. Nobody can comprehend the trauma of drought, death and displacement experienced, especially by women and children

Conflicts between the pastoralists and agricultural communities continue in the mountain region.

Food and water shortage

Main streams, water pans and boreholes have dried up, leading to the closure of schools, and women have to bear the brunt of walking at least 30 km to fetch water for both their families and their emaciated livestock. Parents are incapable of raising school fees, which has led to a drop-out rate of more than fifty percent of the schoolchildren, predominantly girls. The price of food has gone up while that of livestock has fallen drastically. Most shops have closed and those that remain are almost empty.

The pastoralists are now severely affected by acute malnutrition, the aged, children and women being affected the most. Emergency food supplies have to be swiftly dispatched and any delay means death. Unfortunately, it has not been documented as to how many starvation-related deaths have occurred over the entire pastoralist-occupied area. But people were most definitely dying until the relief efforts of the World Food Program and other organizations started in mid-July. Among the Laikipia Maasai, at least 10 aged people have fallen victim to the drought and miscarriages amongst both livestock and human beings have been reported among pastoralists in Laikipia.

In Mukogodo, 95% of the population have moved to look for water and pasture. The terrain is highly degraded, most trees have withered and any remaining ones have been cut to feed the goats. Carcasses of dead livestock dominate the stock routes, with the stench pervading the environment, and emaciated cows - now too weak to move - lie by the side of the road without water or pasture.

The pastoralists have survived the threats for so long but now there is no choice available other than to succumb to the demands of nature. Now, the Government is faced with the challenge of saving human life and re-establishing the dignity and confidence of the pastoralists as a people. Simply put it remains a sad future for a proud and determined people.

The national community admits that this is the worst environmental crisis ever witnessed, rendering an estimated 70% of the population destitute, with grave consequences for women, the aged and children. According to statistics from the Laikipia research program, the drought cycle strikes approximately every 10 years (1960-61, 1973-78, 1982-84 and 1994). The usual prejudice against pastoralists - that they keep too many livestock and thus contribute to the degradation of the rangeland - is being applied by planners and policy makers to put the blame on an innocent people whose survival strategies have been totally disrupted by a combination of factors.

Factors contributing to the increased impact of the drought

Annexation of ancestral lands and land resources

At the turn of the century, colonial land annexation by the white settlers deprived the Laikipia Maasai of their strategic and quality grazing zones. Creation of commercial beef and later private game ranching in most of the Laikipia plains meant that 70% of the original grazing land was taken away from the Maasai community, which was then left to live in a smaller area without access to water points. With the steady growth of both livestock and human population, and with no alternatives or options, the problem of degradation and inadequate pastures has become serious. This has made the livestock more vulnerable, leading to impoverishment of the community, especially women and children, who depend upon this livestock for their sustained livelihood. At the moment, white-owned/multinational-owned ranches constitute 65% of the total Laikipia district whereas Laikipia Maasai pastoralists only occupy 10%.

Reduced mobility routes

The stock routes originally used by pastoralists to get to dry season pasture areas have been closed and the hold-

Women's group from DidDol, Kenya. Photo: Diana Vinding

Dead animals lie along the roads. Photo: OSIL/ILC

ing grounds created by the colonial government, and later adopted by the Kenyan government, to enable pastoralists to move their stocks strategically have been re-annexed to become part of the commercial ranches. A solar-powered perimeter fence erected from the border of Isiolo District and cutting across the Mukogodo Division up to the border of the Samburu and Baringo Districts straddles all the white-owned ranches. Ironically, the electric solar fence was partly financed by EU funds channelled through the Kenya Wildlife Service when Dr. Richard Leakey was a director. This has frustrated the pastoralists, as their livestock has to trek along bare vehicle roads, which have neither water nor pasture. This has greatly contributed to food insecurity, which in turn leads to acute malnutrition, destitution and death, especially among women and children.

Lack of adequate policies focusing on livestock development as an economy

Limited representation in decision-making and policy formulation circles on the part of the Laikipia Maasai almost always means they are the losers. Market incentives and outlets do not exist with which to encourage the community to undertake strategic and emergency de-stocking at decent prices. This is unlike, for instance, the coffee growers, who benefit from the Coffee Board of Kenya. The Kenya Meat Commission was closed down long ago and lies idle and stands with an imposing derelict image. The collapse of the government extension services further indicates central government's lack of concern. Pastoralism is not a priority for the Kenyan economy. But the truth is that pastoralism is the kind of economy that has and can be sustained over time in the dry lands of Kenya, not to mention its direct contribution to the mainstream Kenyan economy, even without any supporting policy structures.

Women contribute very significantly to the improved livestock economy as they provide the labour and participate in its management. Due to the lack of an enabling policy environment, or incentives and opportunities for livestock development, productivity has dwindled with time, resulting in lower prices at the market, less milk and diminished ability for women to provide food security, let alone a balanced diet to their children. Households cannot raise enough money to get their children to school. As in most pastoralist communities, boys are

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first and foremost given the education opportunities. Girls get married at an early age, and this is one of the reasons why they continue to be disadvantaged and discriminated against, for they do not get the chance to realize their opportunities within the community.

Over extraction of water from the main rivers by large scale multinational horticultural irrigation corporations

The Ewuaso River and its tributaries are an important source of water for the pastoralists in various Districts of Kenya - Isiolo, Laikipia, Samburu and Garrissa. The river originates from the Aberdares in the Nyeri District, which is a highly agricultural area. Its tributaries emerge from Mt. Kenya, which is also dominated by the commercial for profit irrigation schemes of various international horticulture companies such as Homegrown. Over extraction of huge volumes of water from the river on the part of irrigation companies has rendered "the river of God" dry - a situation never experienced by the pastoralists since time immemorial.

This has further created social stress among the community as they have to move upstream for water without necessarily accessing pasture. Women walk for longer distances to access domestic water for cooking and other daily chores and this also raises the risk of water-related diseases, which seriously impact on children and women. Women and children, mostly girls, are subjected to walking long distances to fetch water. The Ministry of Water and Natural Resources, which has a mandate to regulate the issuing of water licenses, has not played its role as expected, leaving powerless communities at the mercy of multinational companies who are driven by a blind and inhuman thirst for profit at the expense of indigenous people's survival. This further alludes to the reality that the right to self-determination among the Laikipia Maasai - as among most pastoralists - is far from being experienced, let alone granted.

Political patronage and corruption

Sound planning and management values have been totally ignored by our political leaders, leading to a situation of indiscriminate pauperization, misappropriation and misallocation of resources at the expense of communities not strongly represented at the policy level. It is also a fact that, in Kenya, tribal identity does influence the manner in which the authorities respond to critical problems such as the ravaging droughts. A community like the Laikipia Maasai, that has been and continues to be dominated by other tribes at the district level, is ever a victim and a villain in the game of modern development. Out of sheer ignorance, the government has not considered the use of early warning systems to respond to emergencies. As long as a white minority hidden behind powerful political clout occupies 2/3 of the total district (Laikipia) land at the expense of the poor, more conflicts will be anticipated and this brings me to my next point. The Kenya Meat Commission remains a non-starter and it is a shame that billions of Kenyan shillings have been lost in dead livestock while we, as a Nation, continue to proudly borrow loans from the World Bank and IMF. The regime has not implemented any legitimate project to support and help sustain the pastoralists' economy in its 22 years of rule. It is not recognized as a worthy identity at all.

Insecurity and the continued emergence of conflicts in the Laikipia District

Banditry and cattle rustling are part of daily life on the periphery of the Mukogodo division, particularly on the border of Isiolo, i.e. Tura, Ng'abolo and Leparua, which have seen loss of life as a result of the competition for pasture and water. Children and women have, on several occasions, been the victims of abduction and rape and they are, in fact, easy targets for cattle rustling. For sure the Government's role in maintaining a peaceful coexistence among the pastoralist communities has been doubtful. There have been increased conflicts between Laikipia Maasai pastoralists and various other interest groups like the agricultural communities, white commercial ranches and wildlife conservationists.

Poverty and destitution

It is a great tragedy that drought is ravaging a community which is already identified as impoverished and where half of the population live below the poverty line, as documented in the Kenya Poverty Eradication Plan (1999 to 2015). Most households have lost all their livestock, and out of frustration the men have left for the urban centers to look for jobs (leaving their wives and children unattended). The illiteracy rate is 98%, and as a result most of them only manage to get jobs as watchmen and cannot even earn enough to maintain themselves let alone to share with their families back home. One man committed suicide when, after tracking his 70 emaciated cows throughout the whole of the year, the last one died on the slopes of Mt. Kenya - the last destination of hope. A resource sustained under hard conditions and sacrifice was wiped out just like that and he could no longer stand this unkind scenario.

Increased incidences of single mothers, and problems such as prostitution and diseases (HIV / AIDS) are anticipated as a result of a desperate attempt for survival. More than ever before, the girl child faces a threat as school records already indicate increased dropout rates, especially for girls - most of them may never come back to school again.

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Ilkenya Maasai children. Photo: David Lindsay

Thousands of emaciated cattle are dying. Photo: OSILIGI

The way forward

We need to avoid the tragedy of loosing more human lives - it is painful, immeasurable and unrecoverable. The Government has made an international appeal for emergency food aid and has appointed an 11-member crisis committee to deal with famine. Whether the team has the emergency response skills and credibility to win the support of donors is another matter. If the Government is serious about the destiny of pastoralists it should allocate funds to undertake strategic de-stocking and operationalize the Kenya Meat Commission (KMC) in order to save the pastoralists from further agony and death of livestock. The KMC should be able to can / tin the meat and tan the leather. The canned meat can be given as part of the food aid to the pastoralists instead of grain alone. The livestock marketing policy needs to be improved in order to create incentives with which to motivate pastoralists to sell cattle and the KMC can certainly take on this responsibility, just as it did in the past.

Pastoralists are not simply die-hards, nor are they irrational - as alleged by certain prejudiced environmentalists. They are human beings who, above all, have dignity and respond to pressures and opportunities - just as any other community.

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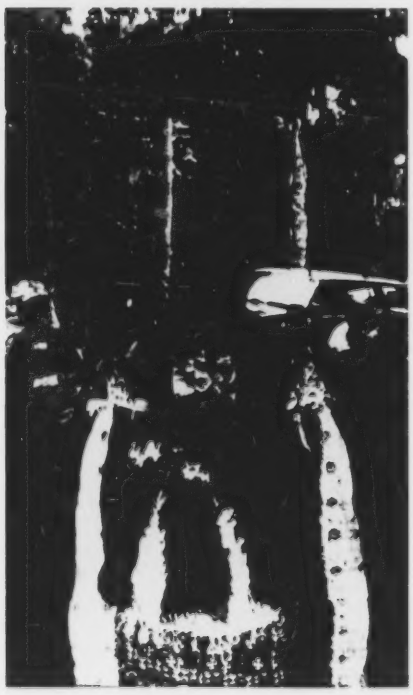
THE FIJI COUP OF MAY 2000 AND THE INDIGENOUS QUESTION

By Steven Ratuva

Fiji chiefs in traditional attire. Photo: Diana Vinding



The attempted civilian coup of May 19, 2000, was the culmination of months of ethno-nationalist protests against what was perceived to be an Indo-Fijian-led government of Mahendra Chaudhry. Over thirty members of the one-year-old coalition government were held hostage for more than two months by rebel leader George Speight, a failed businessman, and his nationalist supporters, together with the army's elite Counter Revolutionary Warfare Unit (CRW).

The hostage-taking followed a huge nationalist protest march in the city of Suva, Fiji's capital. The march degenerated into riots and looting. Indian shops were attacked by indigenous Fijian youths in a well-orchestrated orgy of destruction, as part of the general agenda of destabilization on the part of the nationalists. In the two months following the takeover, Fiji was virtually without any recognizable State. Parliament had been violently overthrown on May 19, the President could no longer exert his authority, his life having been threatened by the armed rebels, and the police - who were unarmed - could not contain Speight's armed thugs, who were terrorizing civilians around Suva. But the last bastion of State authority, the military, had to intervene in a dramatic way to maintain law and order and sustain State authority.

The military asked the President to step aside and proceeded to impose martial law. The sequence of events that followed was almost reminiscent of the 1987 military coup, when the largely indigenous Fijian military abrogated the Constitution and declared itself the ultimate authority in the land. The only difference was that the military intervention in 1987 was on behalf of the indigenous Fijian nationalist interest but in May 2000 it was on behalf of the national interest, against a group claiming to represent indigenous interest. Politics in Fiji since then have been very complex, particularly in relation to the way in which ethnic politics has come to be subsumed within an intra-indigenous Fijian power struggle between various fractions of competing chiefdoms.

In the end, as this article is being written, after weeks of fruitless negotiations between the military and the rebels, intense psychological warfare and seemingly endless stand-off, the military resorted to force in order to take control of the situation. The rebels were arrested, lawlessness was brought under control and the process of political 'normalization' was set on track. Ironically, the swearing in of the new government was the final legitimizing act for the 19 May attempted coup. The behind-the-scene supporters of the coup now dominate the cabinet line up, whilst Speight and his group of 'front men' are imprisoned on a paradise island off Suva, awaiting their trial for treason and recovering from the scars of the army's physical vengeance on them.

To fully understand the coup in Fiji, we need to examine some of its multi-dimensional aspects, some of which are 'hidden' while others are overt. The remainder of this article briefly examines some of these aspects.

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1997 Constitution and indigenous rights

The 1997 Fiji Constitution was hailed by many experts as being one of the most democratic and progressive in the world. This was because its promulgation was the result of world-wide and nation-wide consultations and the inclusion of important aspects such as the bill of rights and an encompassing compact. Importantly, it entrenched indigenous Fijian rights in relation to land and customs, while providing for equal rights for all other ethnic groups such as Indo-Fijians, Chinese, Europeans, part-Europeans, other Asians and Pacific Islanders. The constitution was an attempt to concretize the notion of 'the politics of compromise' or, in political science jargon, consociationalism. The Constitution provided for a multi-party coalition and, in the context of Fiji's ethnic-based political parties, this meant that, under the 1997 Constitution, any government had to be multi-ethnic in nature. The first government under this constitution was thus a coalition of four political parties: the multi-ethnic but still largely Indo-Fijian Labour Party, the indigenous Fijian-based Fijian Association Party (FAP), Western indigenous Fijian-based Party of National Unity (PANU) and the European/part-European/Chinese/other ethnic groups-dominated General Voters Party (GVP).

However, there was, in the context of Fiji's ethnically volatile politics, a difficulty. The government coalition was dominated by Labour, which won all the Indian seats - both Communal (intra-ethnic voting)) and National (inter-ethnic voting) seats. Labour totally eclipsed its rival, the Indian-based National Federation Party (NFP), which had formed a coalition with the indigenous Fijian-based *Soqosoqo ni Vakavulewa ni Taukei* (SVT), led by Major General Rabuka, leader of the 1987 military coups. Labour's dominance of the coalition provided its leader, Chaudhry, with the 'legitimacy' to approach the President, Mara, for appointment as Prime Minister, without consultation with the other coalition partners. This angered his opponents both within and outside of the coalition, who would have preferred an indigenous Fijian Prime Minister. The seeds of conspiracy to overthrow Chaudhry were sown and the plot thickened as time progressed.

Because it was the result of political compromise, the 1997 Constitution was only workable in the context of moderate, middle of the road politics. The 1997 Constitution came into being as a result of the review of the unpopular post-1987 coup 1990 Constitution, which provided indigenous Fijians with ultimate political superiority over other ethnic groups. The review was only possible as a result of the historic partnership and reconciliatory relations between the then PM, Rabuka and Reddy, the Indo-Fijian Leader of the Opposition. Chaudhry rejected this partnership and accused Reddy of being too close to Rabuka and for being a 'sell out'. Chaudhry also condemned Reddy's address to the Great Council of Chiefs, accusing him of trying to score points with the Fijian leadership. In his address to the chiefs, where some chiefs wept openly, Reddy pleaded for reconciliation, saying that indigenous Fijian chiefs were not only chiefs for the Fijians but also for the Indo-Fijians. Chaudhry's reputation as being incapable of inter-ethnic reconciliation became a source of irritation for moderate indigenous Fijians and Indo-Fijians who saw the Rabuka-Reddy middle of the road partnership as the way forward for Fiji.

The Reddy-Rabuka partnership reflected the middle ground ideological position of the constitution itself. However, Chaudhry's election victory and ascent to prime ministership, based on an uncompromising ethnicist political platform, shifted the center of political gravity away from the center. This 'shift' immediately created the conditions for the re-surfacing of ethno-nationalist forces, which saw Chaudhry's ascent to power as a direct threat to their aspiration to keep political leadership in Fiji in Fijian hands.

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A Fijian family. Photo: Diana Vinding

Young warriors during a traditional welcome ceremony, Suva, Fiji. Photo: Diana Vinding

Ethno-nationalism and the indigenous Fijian question

While the 1997 Constitution was hailed as a near perfect legal document, it, however, failed to fully address the indigenous Fijian ethno-nationalist question, especially when the grievances which inspired the 1987 coups had not being fully resolved. For instance, the pro-indigenous affirmative action policies prescribed under the 1990 Constitution were watered down; one example was that the designated beneficiary groups were extended from 'Fijians and Rotumans' to include other 'disadvantaged' groups. The political tensions that characterized the post-1987 coup, especially with regard to indigenous Fijian ethno-nationalist demands, were ignored and, instead, a makeshift political compromise was reached by the Reddy- Rabuka deal. This compromise largely marginalized Rabuka's original followers and contributed to the hardening of their nationalist resolve. These nationalist tensions came to the fore following Chaudhry's victory and ascent to national leadership.

Indigenous Fijian ethno-nationalism needs to be understood in relation to three dynamic and interrelated components. Firstly, it has a socio-cultural basis. In this respect, the traditional socio-cultural and chieftain system (or *vanua*), reinvented and crystallized during the colonial era, has been used to provide the social symbolism, primordial appeal and cultural sentiments that formed the ideological basis for nationalist mobilization. Secondly, this form of socio-cultural mobilization has been deliberately deployed as a tool for ethnic differentiation and ethnic hegemony. Thirdly, it has also been mobilized to serve the political interests of certain individuals or groups, be they chiefs or nationalist political demagogues. Thus, Fijian ethnonationalism could manifest itself either in relation to the quest for indigenous Fijian supremacy or an intra-Fijian power struggle. Both of these levels of tension are linked in a dynamic way. What may start off as demand for ethnic rights can evolve into intra-communal struggle over claims to power and vice versa. Political tension oscillates in a dynamic way between the two levels.

The May 2000 coup manifested some of these complexities. The consolidation of the 1997 Constitution was meant to create a new national spirit, a unifying multi-ethnic 'nationalist' discourse for the country but this was subverted by sectarian indigenous ethno-nationalism. George Speight and his group of rebels made use of the indigenous Fijian socio-cultural symbolism, primordial appeal and cultural sentiments associated with the *vanua* to legitimize their quest for power. This quest for power had an underlying commercial agenda and we shall look at this next.

Commercial interests

Some of the most important players in the coup were members of the emerging Fijian bureaucratic middle class, which was consolidated after the 1987 military coup and the subsequent affirmative action policies. The primary beneficiaries of affirmative action and the privatization drive by the Rabuka regime were indigenous Fijian middle class individuals who had links with the State bureaucracy and financial institutions, such as the Fiji Development Bank (FDB) and National Bank of Fiji (NBF). Shares and control of the privatized State corporations were in the hands of the emerging indigenous Fijian bourgeoisie. To this group, nationalism was the ideological and political means by which they could legitimize and protect their economic privileges. To them, Indo-Fijians were both economic competitors and political adversaries who needed to be contained. In this way, neo-liberalism and globalization became the allies of ethno-nationalism.

Chaudhry's attempt to roll back indigenous affirmative action and privatization was seen as a deliberate attempt to subvert the economic aspirations of indigenous Fijians. The educated Fijian middle class cried foul and quickly aligned themselves to the extremist nationalists, calling for the overthrow of Chaudhry's government. Chaudhry's lack of political tact, refusal to consult his own party colleagues and trade union-type confrontational arrogance simply aggravated the situation. Clearly, Chaudhry's personality and professional disposition were not cut out for prime ministership in a situation of ethnic complexity and volatility, a situation which needs delicate political balancing, as in Fiji.

Some Fijian middle class victims of Chaudhry's policies began to openly campaign for non-extension of land leases for Indo-Fijian farmers after they expired. Part of the plan was to 'privatize' Fijian land (including the Native Land Trust Board) and convert it into large-scale mechanized sugar plantations. The advocates of these schemes were believers in the neo-liberal policies of deregulation and structural adjustment. They were some of the direct beneficiaries of Rabuka's privatization and deregulation policies.

Some key supporters of Speight had huge debts owed to banks as a result of business failure. To them, control of the government was necessary in order to escape prosecution or to use State resources to settle their debts.

Speight himself had a business interest in forestry, amongst other business ventures, and had close business associations with some leading Fijian politicians and businessmen who were opposed to Chaudhry's government. Speight was being investigated by the Chaudhry government for receiving money from an American company, Timber Resource Management, while Chairman of the government–run, Fiji Hardwood Company. The company had made a bid to process the

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US$1 billion worth of mahogany in Fiji but the bid went to a different company. Speight's supporters later burnt down the Fiji Hardwood headquarters in order to destroy possible evidence relating to Speight's alleged shady business deals.

The indigenous Fijian commercial elite saw Chaudhry's government as a barrier to its enrichment and was happy to see its speedy demise by whatever means. After the attempted coup, this group provided political, technical and intellectual advice to Speight, and this included the blue print for a new government, called the 'Deed of Sovereignty'. The political ambition of this group was short-lived after the military arrested Speight and his followers and a new interim government was set up.

The military

The role of the military in the May 2000 attempted coup is of great significance because it was different from the military intervention in May 1987. The intervention in 1987 showed the army's 'political' character. It staged two coups on behalf of the 'indigenous Fijian interest'. In May 2000, it intervened on behalf of the 'national interest' by ensuring the security of the State against a civilian group that claimed to represent the indigenous 'cause'.

The military (which consists of about 99% indigenous Fijians) took over power after the President could no longer enforce his executive authority, under threat by Speight's terror techniques. The imposition of martial law enabled the military to take total control of the security situation in Fiji.

However, the military was faced with a number of dilemmas. Firstly, there was a potential split in the army itself due to divergent political and traditional loyalties. A number of senior officers had already joined Speight's camp, apart from the members of the elite Counter-Revolutionary Warfare unit (CRW) who were directly involved in the attack on Parliament and hostage-taking. Other army officers loyal to Speight were involved in a mutiny in the Labasa army camp on the northern island of Vanualevu. The army later stormed and retook the camp. Other army officers were involved in isolated terrorist activities, including the takeover of Korovou and Levuka towns. However, the military central command remained a united entity and eventually took control of the situation. The second and related dilemma was the question of whether the largely indigenous Fijian military was in a position to confront, even shoot and kill, indigenous Fijians. During the anti-government nationalist demonstrations prior to the 1987 military coup, the army expressed its fear of having to confront and fire at indigenous Fijian demonstrators, and was thus compelled to support the political agenda of the demonstrations themselves. This time, the military maintained its political commitment and crushed the rebellion after three months of failed negotiations. The allegations relating to the army being 'ethnically biased' were put to rest, at least for the time being.

Effects of the coup and potential for reconstruction

The overthrow of the elected government and the abrogation of the 1997 Constitution marked the end of an era of democratization, which had started in the mid-1990s. The coup shattered the fragile shell of democracy once more. The Fijian State has been weakened considerably and a culture of political violence has more or less become a feature of the political system. From now on, the process of reconstruction will be even more difficult. The State needs to be reconfigured and human rights abuses need to be addressed.

After the 1987 coup, Fiji recovered quite dramatically, both economically and politically, within a few years. This time, the damage is quite deep, the pain more unbearable to many and the process of reconstruction more difficult. Within two months of the coup, the economy had contracted by approximately 25% and the decline was 2-3 times worse than in 1987. The tourism industry had a free fall, hotel occupancy rates dropped to less than 10% (from an average of 70-90%) within days and many hotel workers (most of whom are indigenous Fijians) lost their jobs. The economic decline was aggravated by the threat of a trade boycott on the part of Australia, New Zealand and the European Union and exclusion from the Commonwealth.

Fiji's political future rests on its ability to reach a fine balance between ethnic equity and political stability. The latter may mean making more concessions to Fijian demands, but this should not be done at the cost of undermining the interests of other ethnic groups. While it is important to address the outstanding grievances of indigenous Fijians, it is also important to guard against attempts by individuals and groups with a commercial and political agenda who use the notion of 'indigenous Fijian cause' as an ideology with which to mobilize political support to serve their own parochial interests.

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❑

WHAT'S IN THE PIPELINE FOR THE BAGYÉLI OF CAMEROON?

By The Forest Peoples Programme

Bagyéli woman with son and granddaughter
Photo: Kirsten Bieshaar

Bagyéli indigenous communities in south-west Cameroon will soon be faced with the environmental and social consequences of an oil pipeline passing through their territories. The controversial Chad-Cameroon oil pipeline project was approved by the World Bank on June 6th 2000. It has a total cost of US$3.5 billion, of which US$1.6 billion is for the exploitation of the Doba oil fields in Chad and a further US$1.9 billion is for the construction of a 665 mile pipeline to transport oil from Chad through Cameroon to port facilities at Kribi on the Cameroon coast. The project will be implemented through a consortium comprising US-based companies Exxon (40%) and Chevron (25%) with Petronas of Malaysia (35%) and the two governments. ELF and Shell, which were members of the consortium, withdrew in November 1999. The World Bank is supporting the project with loans of US$240 million. World Bank support was considered essential by the oil consortium to secure the project against political risk.

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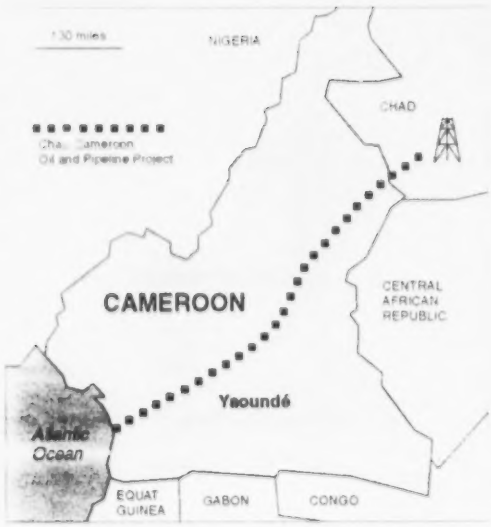
Three generations of Bagyéli. Photo: Karen Buchanan



Source: The Chad – Cameroon Oil and Pipeline Project: Putting People and The Environment at Risk, ASTPDDHC, CED and EDF, 1999

Many aspects of the project have been the subject of controversy. NGOs allege infringements of at least five of the World Bank's policies[1], including the Indigenous Peoples policy. A persistent lack of consultation and participation has been noted throughout the project's preparation[2]. Among the broader concerns about the project raised by NGOs are the following: ongoing repression and intimidation of Chadian NGOs and local communities affected by the project; the likelihood that benefits will be siphoned off by corruption; inadequate compensation and resettlement plans; excessive power given to the pipeline consortium; inadequate environmental impact mitigation measures.

The pipeline will cross the forests of south-west Cameroon, transecting the traditional territory of the 4000 or so *Bagyéli* (Bakola) – a so-called "Pygmy" people who mainly live by hunting and gathering, some farming, and by working as occasional labourers in Bantu villages.

An 'Indigenous Peoples Plan' prepared in 1999 to comply with the World Bank's policy on projects impacting on indigenous peoples (Operational Directive 4.20) was deficient and only proposed ways of mitigating likely health and educational problems. It did not address fundamental issues required by OD 4.20, such as the legal recognition of indigenous rights including rights to land, Cameroonian government policy on indigenous peoples and institution building, or the establishment of mechanisms for indigenous participation in the full project cycle. The plan underestimated the likely impact of the project on Bagyéli livelihoods through disturbance of forests and associated fauna. It also failed to identify the most obvious threats to the local population from the influx of pipeline workers, notably increased drinking, violence, prostitution and AIDS [all these consequences have been recorded for other pipelines]. Over half the document is devoted to suggestions for the proposed Endowment Fund to be set up within the project in order to carry out development projects with affected Bantu and Bagyéli groups over a period of 30 years. The governance structures and types of health and education projects that could be envisaged are elaborated but do not make adequate provisions for Bagyéli participation, training or capacity building. The probability is that benefits will accrue unequally to dominant groups[3]. The proposed endowment of $600,000 appears woefully inadequate compared to the $500 million that Cameroon is expected to derive from the pipeline (3 percent of the national budget).

In April 2000 the Bagyéli organisation *Comité de Développement des Bagyéli des Arondissements de Bipindi et Kribi* (CODEBABIK) and the Cameroonian environment and development NGO *Planet Survey* carried out a survey of 11 Bagyéli villages within 10 km of the course of the pipeline. The aim of the survey was to evaluate the effectiveness of the

Bagyéli man prepares net-hunting. Photo: Karen Biesbrouck

consultations held by the pipeline project with local communities. The survey found that 55% of those interviewed had no knowledge of the project while only 20% had superficial knowledge[4]. Only 8% had a good understanding of the risks and advantages of the project. These people, predominantly Bantu, saw the advantages in terms of compensation and work opportunities. The study concludes that consultations during project planning and preparation with local communities, especially the Bagyéli, were inadequate.

The study further reveals that the Bagyéli are indeed a highly marginalised and vulnerable group. They are not recognised as Cameroonian citizens, have no identity papers, never participate in local elections, have no land rights under either national law or Bantu customary law and have no recognised property rights. They are thus marginalised in all local decision-making. They have not been well informed about the implications of the project for their future. Little or no information has been provided by the government. No proper baseline studies have been carried out and only one meeting with some of the village chiefs has been held. Meanwhile surveying teams have been active in the area without providing information to the communities. No mechanism has been established for the effective participation of the Bagyéli in decision-making and there are no government agencies actively protecting their interests or promoting their welfare.

Not surprisingly, the Bagyéli feel alienated from the pipeline project, which they believe will bring them many problems but few benefits. They foresee a loss of access to their forests, game, herbs and medicines and other non-timber forest products as well as immediate damage to huts and small cultivated areas. Compensation, which has been paid to Bantu villagers for loss of crops, land and buildings, has not been paid to the Bagyéli. Disputes about compensation have led to a number of court cases, most of which are still pending. Even where compensation has been allocated to Bagyéli, it has been siphoned off by the dominant Bantu groups.

The CODEBABIK / Planet Survey study recommended baseline studies, clarification of Bagyéli rights, particularly regarding land, the creation of effective mechanisms for Bagyéli participation in decision-making and the provision of alternative means of livelihood or paid employment for those who will be dispossessed by the project. In a follow-up letter to the World Bank in May 2000, CODEBABIK's programme coordinator, Jacques Ngun, asked the World Bank to ensure that before commencement of the project:

> *"a) full participative consultations with the Bagyéli communities are carried out again, by a team independent of the local elite, in a culturally appropriate manner so that the Bagyéli are fully informed of the negative and positive impacts of the pipeline; b) the Cameroonian government is educated about the general situation of Pygmies in Cameroon; c) the Cameroon government formally regularises the land tenure situation of Pygmies and allocates land to them; d) measures are put in place to combat the inequalities which exist between the Bantu and the Pygmies, facilitate access to schooling, health services and help Pygmies to obtain official documentation such as birth certificates and identity cards."*

CODEBABIK concluded

> *"All of these actions are necessary to enable the Pygmy communities to take control of their own destiny. The Cameroonian government should support the existing initiatives of Pygmy organisations for their development and self determination."*

The Bank's basic approach appears to have shifted from the blueprint for projects as envisaged under OD 4.20, which would deal with fundamental political issues relating to indigenous rights, to one of gradual capacity building to increase the ability of indigenous peoples to advance their own agenda over the long-term. In the case of the Bagyéli, indigenous organisations and support groups argue that this institutional strengthening approach is welcome but is not sufficient on its own to protect this vulnerable group from the soon-to-be felt impacts of the construction phase. What are needed are adequate institutional and legal frameworks to safeguard the land and resource rights of the Bagyéli and overcome discrimination.

Crucially, the Bagyéli themselves must decide what "benefits", compensation and mitigation measures are

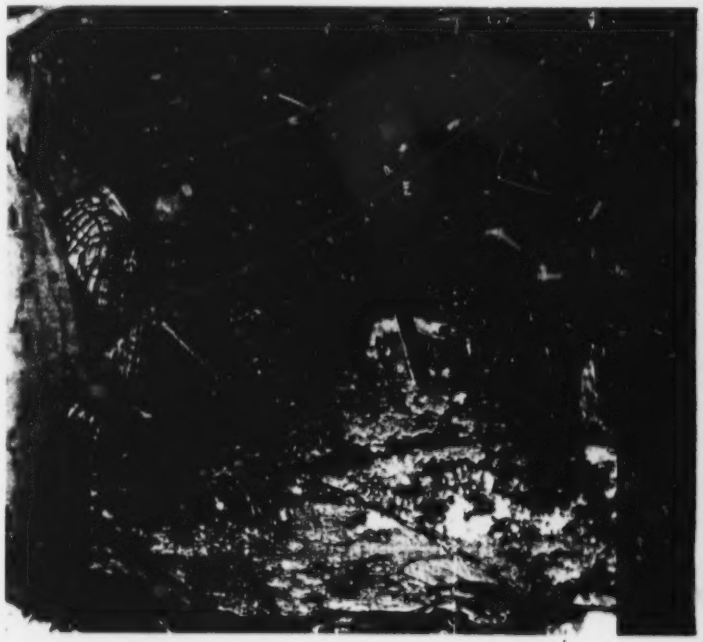
appropriate to safeguard their rights under the Indigenous Peoples Plan. As CODEBABIK's letter indicates, the first essential step is to develop and implement a *culturally appropriate* strategy to make the Bagyéli aware of the potential risks of the pipeline. Such a strategy must take account of the decentralised, collective and consensual decision-making processes in Bagyéli culture. It must therefore be implemented within an adequate timeframe to facilitate effective informed participation as required by OD4.20.

Human rights activists, indigenous people's organisations, religious leaders in Chad, Cameroon, Europe and the USA campaigned hard to try and persuade the World Bank to reject this controversial project until adequate protection for human rights and the environment could be guaranteed. Intense lobbying of Executive Directors and Bank management was successful in delaying the project for several years. Although the international campaign failed to block the project, it forced the World Bank Board to recognise publicly the high risks associated with the pipeline and the need for special procedures to monitor compliance with safeguard policies. To address the concerns, the Board accepted civil society proposals for an Independent Advisory Group (IAG) to report regularly to the Board on the progress of implementing this project. There are also indications that a revised and fully costed Indigenous People's Plan will be elaborated.

In the meantime, the Bagyéli, NGOs and citizens' groups are awaiting further details on the next stages of project implementation and are pressing for updated information so that revised plans can be examined. Above all, campaign groups are requesting that the IAG be established in an open and collaborative way with civil society and are asking the World Bank to ensure that the IAG is set up as an effective *independent*, accountable and transparent tool to monitor the investment and detect violations of the Bank's operational directives.

Despite the World Bank's stated commitment to ensuring that the project will be adequately monitored, and the fact that the concerns of the Bagyéli people have reached the highest levels in the Bank, it remains to be seen what's in the pipeline for the Bagyéli. Until the new documentation becomes available, there are important questions that remain unanswered: will the project provide a means of addressing the fundamental problems of discrimination and powerlessness facing the Bagyéli? Will the investment bring them sustainable livelihoods, rights and equality? The crucial outstanding question is how will the project managers and the consortium eliminate the risks of increased impoverishment and marginalisation of the Bagyéli people?

The huge effort by the Bagyéli and their supporters to highlight the concerns of indigenous peoples affected by the pipeline means that the project is under an intense spotlight of international public attention. Members of the Bank's Board have confirmed that they view the project as a case that will test the World Bank Group's ability to deliver poverty reduction and safeguard the rights of indigenous peoples. Indigenous rights campaigners are therefore resolved to work with the Bagyéli to continue pressing the Bank to adhere to its Indigenous Peoples policy in accordance with existing and emerging international standards. Past experience of lobbying the World Bank shows that this will require vigilant and continuous support from all sectors of civil society both North and South.



Bagyéli harvesting honey. Photo: Karen Biesbrouck

Those interested in tracking the Chad-Cameroon pipeline project should contact the Forest Peoples Programme at 1c Fosseway Business Centre, Stratford Road, Moreton-in-Marsh, GL56 9NQ, UK Fax: 44 1608 652878, Email: info@fppwrm.gn.apc.org

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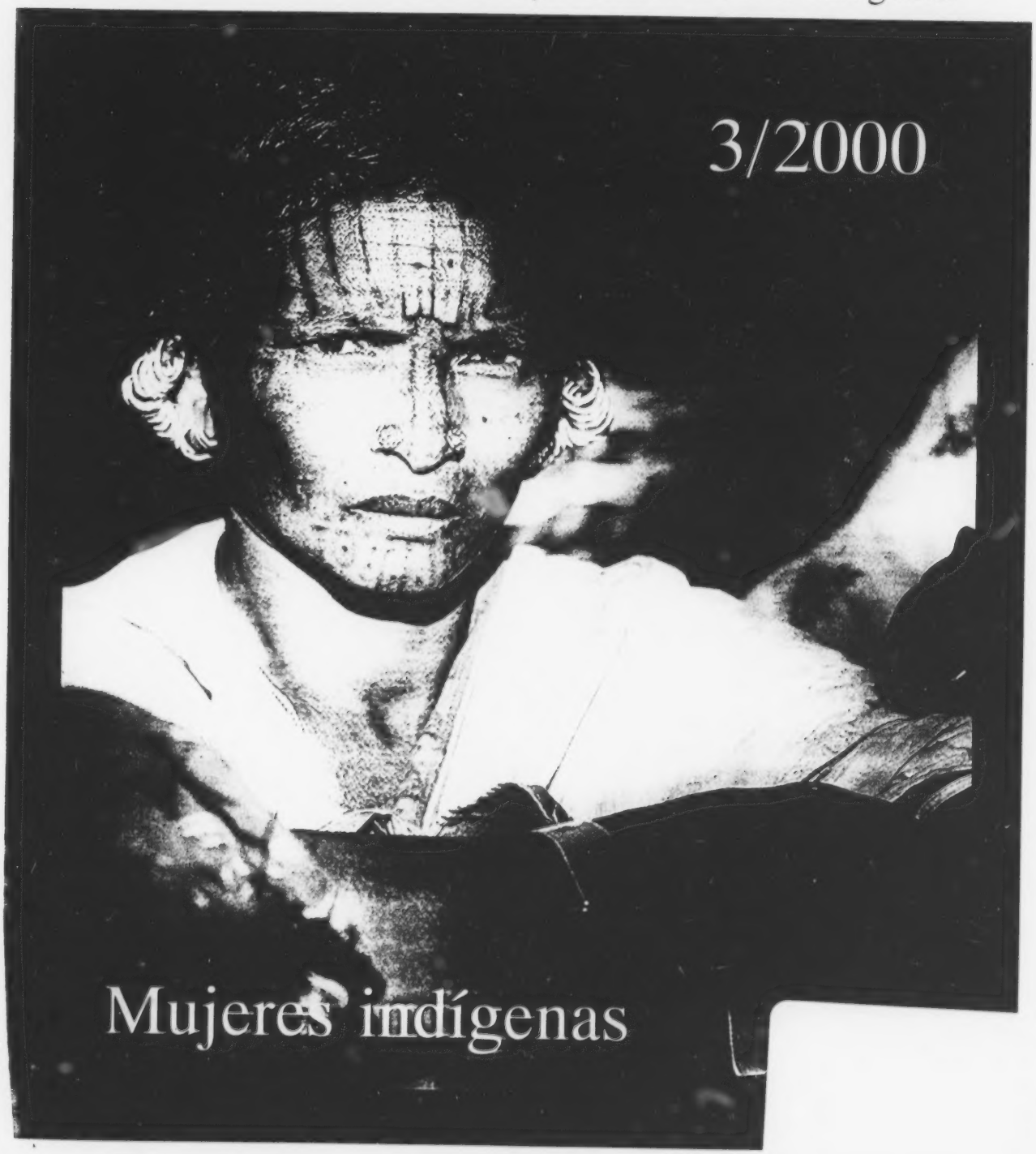

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***Portada:** Mujer kui, Kuidina, Orissa, India.*
Foto: Roger Begrich

EDITORIAL

El 28 de julio del 2000, el Consejo Económico y Social (ECOSOC) de las Naciones Unidas tomó una decisión histórica cuando adoptó la resolución de establecer un "Foro Permanente para Asuntos Indígenas". Al tomar esta decisión, las Naciones Unidas se acercaron a la realización de uno de los objetivos a ser cumplidos dentro del Decenio Internacional de los Pueblos Indígenas del Mundo. La adopción de una declaración universal de los derechos de los pueblos indígenas es también un objetivo prominente pero todavía pendiente.

La resolución de ECOSOC del 28 de julio fue un hito. No obstante, todavía queda por verse en qué medida esta decisión se abrirá paso y marcará una diferencia para los pueblos indígenas del mundo. IWGIA es de la firme opinión de que un Foro Permanente *podría* tener el potencial de actuar como un catalizador para la mejora de los derechos de los pueblos indígenas de todo el mundo. Un Foro Permanente es el mecanismo institucional más prometedor al cual tendrán acceso los pueblos indígenas para mejorar sus derechos sociales, económicos y humanos bajo el paraguas del sistema de las Naciones Unidas. Por esta razón, desde la discusión inicial concerniente al Foro Permanente, IWGIA ha endosado su establecimiento y ha invertido muchos recursos en el proceso. Esto fue hecho, fundamentalmente, apoyando la propia participación de los pueblos indígenas en todas las fases del proceso.

IWGIA es plenamente consciente de algunas de las carencias que contiene el Foro Permanente en su forma actual. A nuestro modo de ver, el Foro Permanente no es una construcción ideal – es un compromiso. Sin embargo, después de todo, es el primer organismo dentro del sistema de las Naciones Unidas donde están representados los pueblos indígenas. Nunca puede ser perfecto o ideal y los pueblos indígenas, IWGIA, otras ONGs y gobiernos simpatizantes tienen que hacer todos los esfuerzos posibles para hacerlo ideal. Además, no debe olvidarse que la efectividad del Foro Permanente no depende en última instancia solamente de los miembros individuales del Foro sino también de la competencia, credibilidad y legitimidad de aquellos que quieren ejercer influencia sobre su trabajo. Finalmente, las actividades del Foro Permanente no serán estáticas, sino procesos sujetos a una mejora continua.

El Foro Permanente contiene oportunidades únicas para realzar los derechos humanos, económicos, culturales y sociales de los pueblos indígenas – considerando que las organizaciones indígenas y otros que apoyan los derechos indígenas utilizarán la oportunidad y su potencial y considerarán al Foro como un proceso. En esta medida, los años venideros serán sumamente importantes. Antes de entrar en esta discusión, vale la pena observar algunos hechos históricos y hacer un breve sumario de la naturaleza del Foro Permanente.

El Foro Permanente tendrá 16 miembros, cada uno/a nombrado de acuerdo a sus capacidades personales. Los gobiernos nominarán 8 miembros que serán electos por el Consejo de ECOSOC y el presidente de ECOSOC nombrará 8 miembros (indígenas) después de consulta con los pueblos indígenas – y los gobiernos. El Foro Permanente será un organismo subsidiario y asesor que informará directamente a ECOSOC. Es, por lo tanto, un organismo de alto nivel como, por ejemplo, la Comisión de Derechos Humanos. Las reuniones serán abiertas de la misma manera que las del Grupo de Trabajo sobre Poblaciones Indígenas (WGIP). Aunque este organismo consta sólo de cinco miembros nombrados por los gobiernos, cientos de indígenas y otras personas han participado en sus reuniones.

El Foro Permanente goza de un mandato amplio. "*Discutirá los asuntos*

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indígenas dentro del mandato del Consejo [Consejo de ECOSOC] relacionados con el desarrollo económico y social, cultura, medio ambiente, educación, salud y derechos humanos". El Foro brindará asesoramiento experto y hará recomendaciones al Consejo de ECOSOC, despertará la consciencia sobre los temas indígenas, coordinará actividades entre las diversas agencias de la ONU y proveerá y divulgará información al público. El mandato del Foro Permanente es más amplio que el del Grupo de Trabajo sobre Poblaciones Indígenas y va más allá de cubrir solamente las cuestiones de derechos humanos. Esto es sumamente importante en estos años en que los temas ambientales (antes que nada el proceso de Río) han otorgado a los pueblos indígenas amplias oportunidades para promover sus intereses en un entorno mucho menos politizado que el que caracteriza a los temas de derechos humanos.

Ciertos gobiernos han planteado continuamente la preocupación de que un Foro Permanente costará demasiado dinero y es probable que ahora traten de restringir los recursos financieros a ser adjudicados al nuevo organismo. En respuesta, debemos recordar que en 1995, después de un seminario celebrado en Copenhague, se requirió al Secretario General de la ONU la preparación de una revisión de los mecanismos, procedimientos y programas existentes dentro de las Naciones Unidas concernientes a los pueblos indígenas. La revisión ilustró claramente que los pueblos indígenas están esencialmente excluidos de la mayoría de los programas de la ONU y, además, expresó la necesidad de un mecanismo integrador o coordinador para los pueblos indígenas dentro de la ONU. Sin embargo, la creación de un Foro Permanente consolidará el trabajo de la ONU referente a los pueblos indígenas y hará que el mismo sea más eficiente desde el punto de vista financiero.

Existen serios impedimentos a sortear antes de que el Foro Permanente sea establecido y pueda comenzar su trabajo en el 2002, tal como está planificado. Uno es el nombramiento de miembros indígenas al Foro. Aunque este es un tema importante, tenemos la esperanza de que no trabe la meta. Otro problema es la ubicación del Secretariado del Foro. El deseo de los pueblos indígenas es tener un secretariado independiente, cuyo personal esté integrado por personas indígenas. Como el Foro está establecido directamente bajo ECOSOC e incluye muchos otros temas además de los derechos humanos, los pueblos indígenas han sostenido con firmeza que debería ser independiente y no debería ser ubicado bajo la órbita del Alta Comisionada para los Derechos Humanos. Todavía queda por verse en qué medida la burocracia de la ONU utilizará la oportunidad, quizá bajo la excusa de ahorrar dinero, para ubicarlo bajo la Oficina de la Alta Comisionada para los Derechos Humanos y así intentar restringir indirectamente su competencia.

El proceso conducente hacia el punto en el cual estamos ahora es quizá interesante en sí mismo, pero lo es aun más si queremos tener una idea de las perspectivas para el Foro – y para el futuro del Grupo de Trabajo sobre Poblaciones Indígenas.

La idea de un Foro Permanente para Pueblos Indígenas dentro del seno de la ONU fue introducida por un grupo indígena que participó en el Grupo de Trabajo de la ONU sobre Poblaciones Indígenas a fines de la década de 1980. En ese momento, los representantes indígenas plantearon la necesidad de crear un Foro Permanente al nivel más elevado posible dentro del sistema de la ONU, un Foro que pudiera tratar todos los temas que afectan a los pueblos indígenas tales como derechos humanos, el medio ambiente, desarrollo, la protección de sus culturas, cuidado de la salud, educación, etc.

En 1993, la Conferencia Mundial sobre Derechos Humanos celebrada en Viena discutió el tópico del Foro y recomendó que la Asamblea General de la ONU considerara el establecimiento de un Foro Permanente para Pueblos Indígenas dentro de la ONU. La recomendación de Viena fue apoyada en 1994 por la Comisión de Derechos Humanos y el Grupo de Trabajo sobre Poblaciones Indígenas.

Desde ese entonces, el tema del establecimiento de un Foro Permanente para Pueblos Indígenas dentro del sistema de la ONU ha sido objeto de muchas deliberaciones y resoluciones de la Subcomisión (la Subcomisión sobre Discriminación y Protección de las Minorías), la Comisión de Derechos Humanos, ECOSOC y la Asamblea General. Se organizaron dos seminarios de expertos, uno en Copenhague, Dinamarca (junio de 1995) y otro en Santiago de Chile (junio-julio de 1997) respectivamente. Además, desde que tuvo lugar el primer seminario, las organizaciones indígenas han expresado la necesidad de iniciar actividades indígenas centradas en la información, discusión y estrategia de desarrollo con relación al establecimiento del Foro, entre las mismas organizaciones indígenas a nivel regional. Se celebraron cuatro conferencias internacionales, en Temuco (Chile), Kuna Yala (Panamá), Indore (India) y Arusha (Tanzania). Las declaraciones indígenas resultantes de estas conferencias han sido incluidas en documentos oficiales de la ONU y como anexos de algunos de los informes de las reuniones de la ONU.

El resultado de este proceso fue una resolución adoptada por la Comisión de Derechos Humanos en 1998 para establecer un grupo de trabajo *ad hoc* sobre el posible establecimiento de un Foro Permanente. Este grupo de trabajo se reunió por primera vez en 1999 y en su segunda y más reciente reunión, en febrero del 2000, se llegó a un acuerdo entre los gobiernos y una

resolución final (enmendada) fue aprobada por la Comisión de Derechos Humanos en abril del 2000 y endosada por ECOSOC en julio del mismo año.

Cuando el Foro Permanente se convierta en realidad, será el resultado de los firmes esfuerzos de las organizaciones indígenas y del subsecuente pasaje a través del sistema de la ONU por parte de gobiernos interesados y partidarios del mismo. El sistema de la ONU consiste de estados y desde un momento muy temprano de este proceso un grupo de estados y el presidente del Grupo de Trabajo sobre el Foro Permanente endosaron el establecimiento de un Foro Permanente y se redactó una resolución patrocinada por Dinamarca-Groenlandia. En este proceso hubo gobiernos que o bien se opusieron al establecimiento de un Foro Permanente o intentaron disminuir su ubicación dentro del sistema de la ONU y reducir su mandato en una medida que –si es que llega a ser establecido- pronto desaparecería en el olvido. En dos reuniones consecutivas de la Comisión de Derechos Humanos, el gobierno cubano intentó bloquear la resolución. No tuvo éxito, pero logró limitar la influencia de los pueblos indígenas. La motivación del gobierno cubano fue sumamente dudosa pero se convirtió en totalmente hipócrita cuando el gobierno cubano, en ECOSOC, se expresó contra el modelo de Foro Permanente en su forma actual. Las razones esgrimidas por el gobierno cubano eran absolutamente sensatas - el único problema era que el gobierno cubano había contribuido a debilitar la resolución conducente al establecimiento final del Foro Permanente.

Hay una obvia conexión entre la oposición cubana al Foro Permanente y la elección de Miguel Alfonso Martínez como nuevo presidente del Grupo de Trabajo sobre Poblaciones Indígenas. Aunque las condiciones bajo las cuales tuvo lugar el cambio de presidencia fueron bastante caóticas en la reunión del Grupo de Trabajo sobre Poblaciones Indígenas de julio del 2000 y podrían hacer mucho daño al WGIP, su pálido futuro se debe a circunstancias completamente diferentes.

Bajo la presidencia de la Sra. Erica Daes, el Grupo de Trabajo sobre Poblaciones Indígenas se convirtió en un éxito inequívoco. Cada año, cientos de indígenas, representantes de comunidades y organizaciones indígenas, se reunieron en Ginebra para presentar sus declaraciones. Durante años fueron escuchados por los gobiernos y pueblos indígenas de todos los rincones del mundo. Se crearon redes de trabajo indígenas, se cabildeó con los gobiernos, fueron negociados proyectos y surgieron esperanzas entre los pueblos indígenas de que los vínculos internacionales harían un impacto en sus propios países y mejorarían la situación de los derechos humanos. A esto debe agregarse que el Grupo de Trabajo sobre Poblaciones Indígenas logró adoptar un Proyecto de Resolución sobre los Derechos de los Pueblos Indígenas – un importante paso en el proceso de asegurar los derechos humanos fundamentales en lo que concierne a los pueblos indígenas.

En los archivos de IWGIA hemos guardado los cientos y cientos de declaraciones de los pueblos indígenas presentadas al WGIP. Estas declaraciones constituyen testimonio de las graves violaciones de derechos humanos cometidas contra los pueblos indígenas en todo el mundo. Lo bueno de todas las terribles historias contenidas en estos documentos es que, a través de las declaraciones presentadas al WGIP, el conocimiento sobre el estado de cosas de los pueblos indígenas del mundo se ha hecho público – y a veces se han tomado medidas para mejorar sus condiciones de vida.

Sin embargo, con el enorme aumento de la cantidad de participantes en el WGIP (800-1000 en los dos últimos años) cada presentación se ve enterrada en la enorme pila de declaraciones. El efecto ha sido que los gobiernos han dejado de escuchar. El efecto de las muchas declaraciones debe haber también abrumado a los pueblos indígenas porque ellos mismos han dejado de escuchar. Más y más participantes sólo entran en la sala de reuniones cuando es su turno – y abandonan la sala inmediatamente después.

En alguna medida, el Grupo de Trabajo sobre Poblaciones Indígenas se está ahogando en su propio éxito. Quizá el momento esté maduro para un cambio en la estructura y organización de la "Revisión de Acontecimientos", el punto de la agenda bajo el cual se presentan estas declaraciones. En nuestra opinión, este podría ser uno de los más importantes desafíos del Foro Permanente – renovar la estructura de la "revisión de acontecimientos" sin obstruir el acceso abierto al proceso por parte de los representantes indígenas.

Ahora, ya entrados en los cinco años del "Decenio Internacional de los Pueblos Indígenas del Mundo", la adopción de ECOSOC de la recomendación de establecer un Foro Permanente sobre Asuntos Indígenas es el paso más significativo y concreto dado hasta ahora por el sistema de las Naciones Unidas para encarar los asuntos específicos enfrentados por los pueblos indígenas. Vemos todo esto como la primera indicación de una voluntad política para poner en práctica los objetivos del Decenio, los cuales la ONU ha descrito como el fortalecimiento de la cooperación internacional para la solución de los problemas enfrentados por los pueblos indígenas.

MUJERES INDÍGENAS

Esta edición de Asuntos Indígenas se concentra en las mujeres indígenas: su situación, esperanzas y aspiraciones al comienzo de un nuevo milenio. Los artículos reflejan muy claramente que las mujeres indígenas enfrentan serios problemas que abarcan desde la extrema pobreza y la discriminación hasta horribles violaciones de los derechos humanos, como asesinatos, tortura y violación.

Muchas mujeres indígenas sufren una doble represión: como pueblos indígenas están oprimidas por las culturas dominantes y los estados nacionales, y como mujeres enfrentan las prácti-

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cas represivas tradicionales en sus sociedades indígenas y mayormente patriarcales. Este tipo de doble represión se refleja en casi todos los artículos, la mayoría de los cuales están escritos por las mismas mujeres indígenas. En su artículo, Jorunn Eikjok brinda un relato muy claro y personal sobre cómo ella, siendo mujer *sámi*, experimenta esta doble represión y de los importantes desafíos futuros.

La globalización en la forma de operaciones mineras y madereras, construcción de represas, proyectos de desarrollo del turismo, proyectos agrícolas industriales, etc., invade cada vez más las tierras de los pueblos indígenas. Esto tiene un serio impacto sobre las vidas de las mujeres indígenas, tanto en Asia, como lo describe Jill Carino, como en otras partes del mundo. La globalización implica, entre otras cosas, la dislocación de las tierras ancestrales, la marginación de los estilos tradicionales de subsistencia y una creciente pobreza en las comunidades indígenas, y esto tiene consecuencias de largo alcance sobre el bienestar de las mujeres indígenas.

La violencia cometida contra las mujeres indígenas es también alarmante. Samar Bosu Mullick y Debbie Stothard hacen relatos espantosos sobre las graves violaciones de derechos humanos contra las mujeres indígenas. Estas consisten de violaciones de los derechos humanos causadas por la violencia sancionada por el estado como en Birmania, donde las tropas del régimen militar en las áreas involucradas en el conflicto étnico violan, torturan y asesinan a mujeres indígenas y de violaciones extremas de los derechos humanos que tienen lugar dentro de las comunidades indígenas como en Jharkhand, India, donde las mujeres indígenas son hostigadas y asesinadas al ser acusadas de ser brujas por sus propias familias o miembros de la comunidad.

Los *nagas* también han sufrido durante años la brutalidad de las fuerzas de seguridad de la India. No obstante, como lo describe Shimreichon Luithui, las mujeres naga están jugando ahora un rol crucial, tratando de forjar una paz genuina y duradera en el área.

Las mujeres indígenas tienen una pesada carga. Son muy frecuentemente responsables de la supervivencia y bienestar de sus familias e hijos bajo condiciones sumamente difíciles, discriminatorias y deficientes. A pesar de esto, las mujeres indígenas de todo el mundo se están organizando para mejorar su situación como se describe en los artículos de Jill Carino y Lucy Mulenkei. Las mujeres indígenas están también creando cada vez más redes de trabajo internacionales para encarar conjuntamente los problemas que tienen en común. Lea Nicholas-MacKenzie centra su artículo en el trabajo internacional de las mujeres indígenas y a pesar de las muy arduas condiciones en que viven tantas mujeres indígenas, es alentador saber que se están uniendo en sus instituciones locales y en los foros internacionales para luchar por sus derechos y por un futuro mejor. Como lo expresa Jill Carino tan vehementemente en su artículo:

"Las mujeres indígenas siguen siendo los sectores de la sociedad más pobres, más violados, más oprimidos, más menospreciados y más explotados. Su situación es una oscura imagen de la miseria humana pintada por los poderes existentes, los cuales codician la tierra de los pueblos indígenas y harían cualquier cosa para controlar el poder y los beneficios en la economía global. Las características redentoras de esta imagen son las luchas de los mismos pueblos indígenas, que han perseverado, a pesar de estar en amplia desventaja. Su lucha como pueblos indígenas y como mujeres por la autodeterminación y la igualdad es un rayo de luz para el futuro de la humanidad". ❑

LA NUEVA ESTRUCTURA ORGANIZATIVA DE IWGIA

IWGIA es ahora una organización compuesta por miembros
En mayo de este año IWGIA fue establecida como una organización a la que se puede acceder con carácter de miembro.
El objetivo de este cambio en la estructura de la organización es brindar la oportunidad aquellas personas que estén de acuerdo con la política general de IWGIA, a desarrollar un vínculo más estrecho con la organización. La intención principal de este cambio es mantener y fortalecer la red de contactos existente en torno a IWGIA y otorgar a los miembros de la organización un acceso más directo a la información relevante y a los procesos de toma de decisión.

Foro Anual
Todos los miembros de la organización serán invitados una vez al año a una reunión general, el Foro Anual. En este Foro Anual se discutirán asuntos de importancia para IWGIA. El Foro Anual tendrá un estatus consultivo como organismo asesor de la Junta Directiva.
Los miembros recibirán la publicación periódica *Asuntos Indígenas*, el anuario *El Mundo Indígena* y el informe anual de IWGIA.

La Junta Directiva
La Junta Directiva de IWGIA será elegida por los miembros.

Cuota
La cuota estabecida para ser miembro de IWGIA para el año 2000 es de U$S 35,00.

Solicitudes
Las solicitudes para ser miembro de la organización serán dirigidas a la Junta Directiva. Para que una solicitud sea aprobada, esta deberá contar con el apoyo de al menos dos miembros de IWGIA y ser aceptada por la Junta Directiva. La Junta podrá rechazar cualquier aplicación.

Para más información
Por favor contacte al secretariado de IWGIA
Teléfono: +45 35 27 05 00 - Fax: +45 35 27 05 07 - Correo electrónico: iwgia@iwgia.org

MUJERES INDÍGENAS

CREAN UNA NUEVA ORGANIZACIÓN INTERNACIONAL

Por Lea Nicholas-MacKenzie

Participantes del Foro Internacional de Mujeres Indígenas sobre Pequin+5

Las Naciones Unidas estiman que hay más de 300 millones de indígenas en más de 70 países en todo el mundo. A pesar de este hecho, los pueblos indígenas son frecuentemente excluidos de los procesos internacionales. Las mujeres indígenas han comenzado a organizarse a nivel internacional para asegurar que las voces y los intereses de los pueblos indígenas sean escuchados. Una reciente reunión de las Naciones Unidas sirvió de telón de fondo para este trabajo histórico.

La Conferencia de Mujeres más reciente fue celebrada en septiembre de 1995 y es conocida como la Conferencia de Pequín. Las Naciones Unidas celebraron una Sesión Especial de la Asamblea General del 5 al 9 de junio del 2000 (corrientemente conocida como "Pequín+5"), para evaluar los progresos de las mujeres desde la Conferencia de Pequín.

La conferencia de 1995 tuvo como resultado una declaración y una plataforma de acción que establecen compromisos para las mujeres en doce áreas críticas de interés. La Plataforma también contiene una serie de compromisos para las mujeres indígenas relacionados con la pobreza, la salud, la violencia contra la mujer, los conflictos armados, la economía, el poder y la toma de decisiones, los derechos humanos, los medios de difusión y el medio ambiente.

Las mujeres indígenas frente al nuevo milenio: el Grupo Internacional de Trabajo

Las mujeres, en la 17ª Sesión del Grupo de Trabajo de las Naciones Unidas sobre Poblaciones Indígenas, discutieron la necesidad de fortalecer las relaciones internacionales entre las mujeres indígenas y continuar el desarrollo de la capacitación de las mismas en todo el mundo. CHIRAPAQ, una organización no-gubernamental (ONG) indígena de Perú, se ofreció a ser anfitriona de una reunión internacional de mujeres indígenas con el objetivo de crear redes de trabajo internacionales y discutir temas de interés común.

La reunión, *"Mujeres Indígenas Frente al Nuevo Milenio: Grupo Internacional de Trabajo"* fue celebrada del 24 de noviembre al 2 de diciembre de 1999 en Lima, Perú. La reunión incluyó a participantes de Kenia, Argelia, Noruega, las Filipinas, Canadá, EE.UU., Costa Rica, México, Panamá, Bolivia, Ecuador, Nicaragua y Perú.

El grupo de trabajo se concentró en compartir información sobre diversas iniciativas internacionales, incluyendo los Proyectos de Declaraciones sobre los Derechos de los Pueblos Indígenas de la Organización de Estados Americanos, las revisiones de Pequín+5 y Cairo+5, el Foro Permanente y la próxima Conferencia Mundial sobre Discriminación en el 2001. Las participantes también formularon recomendaciones para incrementar la cooperación internacional relativa a estas y otras iniciativas.

Con relación a Pequín+5, surgió una recomendación clave de celebrar una reunión de mujeres indígenas previa a la Sesión Especial de las Naciones Unidas sobre Pequín+5. Para lograr esto, las participantes acordaron crear un *Comité Directivo Internacional de Mujeres Indígenas*. Este comité fue compuesto por los siguientes miembros interinos:

- Bernice See (Asia) Asian Indigenous Women's Network (Red Asiática de Mujeres Indígenas)
- Lucy Mulenkei (África) African Indigenous Women's Network (Red Africana de Mujeres Indígenas)
- Jorun Eikjok (Europa) Arctic Indigenous Women's Network (Red Ártica de Mujeres Indígenas
- Dra. Larissa Behrendt (Pacífico Sur)
- Esther Camac (América Latina) Continental Network of Indigenous Women (Red Continental de Mujeres Indígenas)
- Fay Blaney (América del Norte) Aboriginal Women's Action Network y el National Action Committee on the Status of Women (Red de Acción de las Mujeres Aborígenes y Comité de Acción Nacional sobre la Situación de las Mujeres)
- Lea Nicholas-Mackenzie (Coordinadora/América del Norte) Assembly of First Nations (Asamblea de las Primeras Naciones)

El papel del Comité Directivo incluye la divulgación de información a los contactos regionales; recoger información sobre prioridades nacionales, estadísticas, organizaciones locales, regionales y nacionales; asistir en la identificación de representantes para asistir al Foro Internacional de Mujeres Indígenas y ayudar a los representantes a identificar financiación, obtener acreditación y registro para las reuniones de las Naciones Unidas.

Foro Internacional de Mujeres Indígenas sobre Pequín+5

El Foro Internacional de Mujeres sobre Pequín+5 fue celebrado del 1 al 2 de junio del 2000 en la ciudad de Nueva York. En el Foro participaron más de sesenta mujeres indígenas. El principal objetivo del foro era preparar a las mujeres indígenas para participar en la revisión de Pequín+5. El foro incluyó sesiones de capacitación e información, seminarios y sesiones de estrategia.

El primer día el Foro fue presidido conjuntamente por la vicedirectora Mary Jane Jim (Canadá) y Rose Cunningham (Nicaragua) y la reunión fue abierta por la Dignataria Lorraine Canoe. La Dra. Larissa Behrendt (Australia) brindó información sobre las mujeres indígenas, las Naciones Unidas y el Derecho Internacional, mientras que Rose Cunningham dio una visión general de las conferencias mundiales sobre mujeres y pueblos indígenas. Lea Nicholas-MacKenzie ofreció información sobre los antecedentes de la Revisión de Pequín+5 y Susana Fried, del Fondo de Desarrollo para las Mujeres de las Naciones Unidas, informó a las participantes sobre el progreso de las negociaciones y expectativas para la próxima Asamblea General de las Naciones Unidas sobre Pequín+5.

Carol Kalafatic, del Consejo Internacional del Tratado Indio, compartió información sobre el Proyecto de Declaración sobre los Derechos de los Pueblos Indígenas, mientras que Vicky Tauli Corpuz (Filipinas) y Tarcila Rivera (Perú) informaron a las participantes sobre el Foro Permanente sobre Temas Indígenas. Finalmente, Mónica Alemán (Nicaragua) dio a las participantes una actualización sobre la Conferencia Mundial Contra el Racismo, la Discriminación Racial, la Xenofobia y la Intolerancia Relacionada.

El resto del primer día fue utilizado para realizar seminarios sobre los siguientes tópicos:

- Educación y capacitación, poder y toma de decisiones y mecanismos institucionales para la promoción de las mujeres
- Derechos humanos y medio ambiente
- La pobreza y la economía
- Salud y violencia

Las participantes del seminario revisaron declaraciones anteriores, la Plataforma de Pequín, y otros materiales pertinentes para formular estrategias para encarar los temas a nivel local, nacional, regional o internacional y construir en base a los compromisos existentes.

El segundo día el Foro fue presidido conjuntamente por Vicky Tauli Corpuz (Filipinas) y Angie Akee (Australia). Durante el segundo día, las participantes de los seminarios informaron al grupo mayor y compartieron estrategias para influir sobre los participantes de la Asamblea General de las Naciones Unidas sobre Pequín+5. El resto de la reunión fue dedicada a discusiones para formalizar la red internacional de trabajo. Se acordó que el Foro Internacional de Mujeres Indígenas continuará como un organismo para compartir información y se confirmaron los siguientes miembros del Comité Directivo:

Lucy Mulenkei – África
Bernice See – Asia
Comisionada del ATSIC Marion Hansen – Pacífico Sur
Lea Nicholas-MacKenzie – Coordinadora/ América del Norte
Fay Blaney – América del Norte
Tarcila Rivera – América Latina
Jorunn Eikjok – Europa/ Ártico

El Comité Directivo acordó elaborar términos de referencia y una declaración de misión para guiar su trabajo. El Comité también acordó centrarse en la Marcha Mundial de Mujeres en otoño del 2000 y en la Conferencia Mundial Contra el Racismo, la Discriminación Racial, la Xenofobia y la Intolerancia Relacionada del año 2001. Finalmente, el comité acordó continuar su esfuerzos para compartir información con tantas mujeres indígenas como fuera posible.

Asamblea General de las Naciones Unidas sobre Pequín+5

La Asamblea General de las Naciones Unidas sobre Pequín+5 tuvo como resultado un documento titulado *"Acciones e Iniciativas Futuras para Implementar la Declaración de Pequín y la Plataforma de Acción"*. Las mujeres indígenas que participaron en el proceso de la revisión de Pequín cabildearon para asegurar que las mujeres indígenas fueran incluidas en el documento.

A pesar de los esfuerzos de cabildeo, las mujeres indígenas fueron incluidas específicamente sólo en seis párrafos en la sección de "Acciones e Iniciativas para Superar Obstáculos y para lograr la plena y acelerada implementación de la Plataforma de Acción de Pequín":

100 e. Encarar las barreras enfrentadas por las mujeres, particularmente por las mujeres indígenas y otras mujeres marginadas, para acceder y participar en la política y en la toma de decisiones, incluyendo la falta de capacitación, la doble carga de las mujeres debido al trabajo no pago, las actitudes y estereotipos sociales negativos;

103 g. Dar pasos concretos, como prioridad y con su plena y voluntaria participación, para encarar el impacto de la violencia sobre las mujeres indígenas, para implementar programas y servicios apropiados y efectivos para eliminar toda forma de violencia;

106 a. Considerar la adopción, cuando fuera apropiado, de legislación nacional coherente con el Convenio sobre la Diversidad Biológica para proteger el conocimiento, las innovaciones y prácticas de las mujeres en comunidades indígenas y locales relativas a las medicinas tradicionales, la biodiversidad y las tecnologías indígenas;

126 d. bis. Realizar una apropiada recolección de datos e investigaciones sobre las mujeres indígenas, con su plena participación, para forjar políticas, programas y servicios accesibles, cultural y lingüísticamente apropiados;

128 h. Desarrollar e implementar programas educativos y de capacitación, con la plena y voluntaria participación de las mujeres indígenas, que respeten su historia, cultura, espiritualidad, lenguas y aspiraciones para asegurar su acceso a todos los niveles de la educación formal e informal, incluyendo la educación superior;

129 d. Aplicar y apoyar medidas positivas para dar a todas las mujeres, particularmente a las mujeres indígenas, un acceso igualitario a los programas de capacitación y entrenamiento para aumentar su participación en la toma de decisiones en todos los campos y en todos los niveles;

En la Asamblea General de las Naciones Unidas sobre Pequín+5 más de 100 mujeres indígenas asis-

Participantes de la reunion "Mujeres Indígenas frente al Nuevo Milenio" en Perú, 1999. Lea Nicholas-MacKenzie es la tercera de la derecha. Foto: Diana Vinding

tieron a una reunión diaria del Grupo de Mujeres Indígenas organizado por el Comité Directivo. El grupo elaboró una declaración (adjunta) que reafirmó la Declaración de Pequín de las Mujeres Indígenas, el derecho a la autodeterminación de los pueblos indígenas, nuestra conexión con la tierra y el territorio y el equilibrio requerido para asegurar el bienestar de nuestros pueblos. Reconociendo los efectos del colonialismo y de las políticas económicas neoliberales, las participantes elaboraron catorce recomendaciones amplias relativas a los temas de:

1. El Proyecto de Declaración de la ONU sobre los Derechos de los Pueblos Indígenas
2. El término "pueblos indígenas"
3. El Foro Permanente sobre Temas Indígenas
4. El Banco Mundial, el Fondo Monetario Internacional y la Organización Mundial del Comercio
5. Compromisos para las mujeres indígenas en la Plataforma de Pequín
6. Instrumentos internacionales
7. Patentes de formas de vida y propiedad intelectual
8. Pobreza
9. Educación
10. Toma de decisiones
11. Salud
12. La Conferencia Mundial sobre Racismo
13. Desplazamiento de los pueblos indígenas
14. La Declaración de Pequín de las Mujeres Indígenas

Las mujeres indígenas también participaron en paneles organizados por el Consejo Asiático de Derechos Humanos y la Conferencia de Organizaciones No-Gubernamentales (CONGO), hablaron a los medios de difusión en conferencias de prensa y entrevistas, influyeron sobre los representantes gubernamentales y no-gubernamentales, se reunieron con otros grupos como el grupo de la juventud y los diversos grupos regionales, y participaron en el Comité Coordinador Internacional de CONGO.

Los logros más importantes en la Asamblea General de las Naciones Unidas sobre Pequín+5 fueron aumentar significativamente el perfil de las mujeres indígenas y sus intereses, comenzar el proceso de trabajo de red y solidificar las relaciones entre las mujeres indígenas en todo el mundo. El desafío será mantener el impulso, expandir la red de mujeres indígenas y publicitar el Foro Internacional de Mujeres Indígenas.

Lea Nicholas-MacKenzie *es miembro de la Primera Nación Walastakiewiyiwok (Maliseet) en Nekwotkok (Tobique). Es actualmente Coordinadora del Foro Internacional de Mujeres Indígenas y Asesora sobre Temas Internacionales de Mujeres Indígenas en la Asamblea de Primeras Naciones de Canadá. Antes de realizar este trabajo internacional funcionó como jefa de Personal del Jefe Nacional Phil Fontaine en la Asamblea de Primeras Naciones. Tiene una Maestría en Dirección y Capacitación de la Universidad de Royal Roads en Columbia Británica, Canadá. Puede ser ubicada en lmackenzie@hotmail.com.*

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DECLARACIÓN DEL FORO INTERNACIONAL DE MUJERES INDÍGENAS

En ocasión de la Sesión Especial de la Asamblea General de las Naciones Unidas sobre Pequín+5

Nosotras, las mujeres del Foro Internacional de Mujeres Indígenas, nos hemos reunido en Nueva York para evaluar nuestra situación cinco años después de la Plataforma de Acción de Pequín. Reafirmamos la Declaración de las Mujeres Indígenas de Pequín, que surgió de la Tienda de Campaña de las Mujeres Indígenas en Huairou en 1995. El análisis, temas y propuestas de la Declaración son todavía relevantes y deben ser encarados.

Afirmando que, al igual que pueblos indígenas, como todos los pueblos según el derecho internacional, nuestro derecho inherente a la autodeterminación garantiza nuestra capacidad para determinar libremente nuestro estatus político y procurar nuestro desarrollo económico, social y cultural. Esto incluye nuestros derechos colectivos a la tierra y territorio, recursos naturales, biodiversidad y propiedad intelectual.

Afirmando además, que como pueblos indígenas, nuestras tierras y territorios están inextricablemente vinculados con nuestra supervivencia, desarrollo, identidad y autodeterminación.

Reafirmando también, que como mujeres indígenas, nosotras reconocemos que el bienestar de nuestros pueblos es dependiente de las generaciones pasadas, presentes y futuras, del equilibrio entre hombres y mujeres, de la experiencia y conocimiento de nuestros mayores y de la energía de nuestra juventud.

Reconociendo que cinco años después de Pequín, las mujeres indígenas continúan experimentando una pobreza extrema y desproporcionada, y enfrentan un deterioro de las condiciones sanitarias, educativas, sociales, económicas, culturales y políticas. Esto se debe a factores como el racismo, el colonialismo, el neocolonialismo, las políticas macroeconómicas que promueven la liberalización comercial y financiera, la privatización, la desregulación y el desplazamiento.

Reconociendo también que las mujeres indígenas enfrentan un aumento de la violencia y del tráfico de mujeres y niñas. También han aumentado la militarización y los conflictos armados, conduciendo a desplazamientos internos y externos, aumento de la pobreza y violaciones de los derechos humanos, particularmente la violencia contra las mujeres indígenas.

Considerando que la explotación de recursos naturales en tierras y territorios de pueblos indígenas, y el vertido de desechos radioactivos y materiales tóxicos y peligrosos, infringen los derechos humanos y colectivos de los pueblos indígenas causando el desplazamiento y poniendo en peligro sus vidas.

Recomendamos, por lo tanto, lo siguiente:

1. Como la mitad del Decenio Internacional de los Pueblos Indígenas del Mundo ha pasado sin verse la adopción del Proyecto de Declaración sobre los Derechos de los Pueblos Indígenas, exhortamos a los estados miembros a adoptarlo en su forma actual sin más demora.
2. Exhortamos a los gobiernos y a las Naciones Unidas a usar consecuentemente el término "Pueblos Indígenas" en todos los instrumentos internacionales.
3. Exhortamos vehementemente a los estados miembros de la ONU a continuar su compromiso tal como lo expresó la Comisión de Derechos Humanos en su 56ª Sesión, de establecer un Foro Permanente sobre Asuntos de Pueblos Indígenas, como un mecanismo efectivo para encarar los intereses de los pueblos indígenas, con la plena e igual participación de los pue-

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blos indígenas y sus organizaciones.

4. Reconociendo el impacto devastador de las organizaciones multilaterales e instituciones de crédito sobre las condiciones socioeconómicas de los pueblos indígenas, el Banco Mundial no debería involucrarse en la elaboración de políticas y programas de desarrollo social de los gobiernos. Similarmente, el Fondo Monetario Internacional no debería involucrarse en las políticas macroeconómicas de los gobiernos. Finalmente, la Organización Mundial del Comercio debería reconocer los derechos de los pueblos indígenas a sus territorios y recursos.
5. Hacemos un llamado a los gobiernos para que cumplan los compromiso asumidos con las mujeres indígenas en la Plataforma de Acción de Pequín sin más demora. Recomendamos fuertemente que las vidas y las experiencias de los pueblos indígenas sean tomadas en cuenta cuando se implemente la Plataforma de Acción.
6. Solicitamos la ratificación e implementación de todos los instrumentos internacionales relacionados con las vidas y condiciones de los pueblos indígenas, incluyendo el Convenio sobre la Eliminación de la Discriminación Contra las Mujeres (CEDAW), el Convenio sobre la Eliminación de la Discriminación Racial (CERD) y el Convenio sobre los Derechos del Niño (CRC).
7. Solicitamos una moratoria inmediata sobre la patente de todas las formas de vida, el conocimiento tradicional y todas las formas de propiedad intelectual.
8. Reconociendo los drásticos niveles de pobreza enfrentados por los pueblos indígenas, incluyendo a las mujeres indígenas, exhortamos que la erradicación de la pobreza de los pueblos indígenas sea una prioridad.
9. Exhortamos a los gobiernos a implementar, en plena colaboración con los pueblos indígenas, programas de educación formal e informal que respeten nuestra historia, lenguas y culturas.
10. Exhortamos a los gobiernos a que se comprometan a asegurar que las mujeres indígenas participen plenamente en las tomas de decisiones a todos los niveles, para que seamos capaces de participar activa y efectivamente en las decisiones políticas que afectan a nuestros pueblos.
11. Hacemos un llamado a los gobiernos para que aseguren que los pueblos indígenas tengan pleno acceso, sin ninguna discriminación, a todas las instituciones médicas, servicios de salud y atención médica, incluyendo las medicinas y prácticas sanitarias tradicionales.
12. Hacemos un llamado por la plena e igual participación de los pueblos indígenas en el proceso que conduce a la Conferencia Mundial sobre Racismo, Xenofobia y Otras Formas de Discriminación, incluyendo mecanismos y recursos para asegurar nuestra participación.
13. Exhortamos a los gobiernos, agencias e instituciones a encarar el tema del desplazamiento de los pueblos indígenas debido a la agresión del desarrollo, los conflictos armados y otros factores. Esto incluiría la resolución de conflictos y el resarcimiento, con la plena participación de los pueblos indígenas.
14. Exhortamos fuertemente a los gobiernos para que revisen y encaren las propuestas y demandas contenidas en la Declaración de las Mujeres Indígenas de Pequín, que hasta el presente no han sido tratadas.

Adoptada por las participantes del Foro Internacional de Mujeres Indígenas el 9 de junio del 2000 en la ciudad de Nueva York. ❑

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CONSTRUYENDO UNA IMAGEN DE LA MUJER INDÍGENA ASIÁTICA

Por Jill K. Carino

Las historias de las vidas y problemas de las mujeres asiáticas son tan variadas como numerosas. Relatos escritos sobre mujeres indígenas en Asia pueden hallarse en una variedad de fuentes. Estas incluyen noticias y artículos, actas de conferencias de mujeres donde las mismas mujeres indígenas tienen la posibilidad de contar sus propias historias, ediciones especiales sobre las mujeres en publicaciones sobre pueblos indígenas y otros diversos libros y artículos. En la mayoría de las publicaciones sobre pueblos indígenas, las mujeres indígenas casi nunca son mencionadas como un sector especial. Incluso las publicaciones sobre la situación de las mujeres en general encaran muy raramente la dimensión agregada de las mujeres indígenas. Los materiales disponibles sobre las mujeres indígenas no son de ninguna manera substanciales o comprehensivos como quisiéramos. Sin embargo, son suficientes como para que nosotros podamos construir una imagen amplia o componer un visión general inicial de ciertos modelos y tendencias que conforman las complejas situaciones de las mujeres indígenas en Asia.

Mujer kalinga plantando arroz, Cordillera, Filipinas. Foto: Christian Erni

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Mujer y niño chakma, refugiados retornados, Chittagong Hill Tracts, Bangladesh. Foto: Christian Erni

Queda claro desde el comienzo que las mujeres indígenas asiáticas ocupan una posición extremadamente desaventajada en la sociedad. Son víctimas de múltiples formas de opresión, por ser indígenas y por ser mujeres, sumado al hecho de que la mayoría de ellas son agricultoras o trabajadoras pertenecientes a las clases más explotadas de la sociedad. En Taiwán, por ejemplo, las mujeres indígenas son llamadas "ciudadanas de tercera clase" debido a su estatus inferior en relación con los hombre y las personas no-indígenas, es decir, aquellas que pertenecen a la cultura dominante "han" en la sociedad taiwanesa.

Las mujeres que también son indígenas experimentan la discriminación y el racismo de la cultura dominante y el estado nacional. Por un lado, su estatus como indígenas no es reconocido por el estado dentro del cual se encuentran. Por otro lado, su diferenciación como indígenas es utilizada por las políticas gubernamentales como justificación para la asimilación, la integración, el reasentamiento, la transmigración o la militarización. Estas políticas son empleadas no sólo como medios para suprimir su existencia como pueblos indígenas sino también para despojarlos de sus ricas tierras ancestrales – la base de su cultura y supervivencia. En los casos más extremos, tales políticas estatales conducen al genocidio cultural o al etnocidio, como en el caso de los pueblos indígenas de Nagaland, Chittagong Hill Tracts y Birmania.

En adición, las mujeres indígenas viven en sociedades tradicionales y mayormente patriarcales, las cuales dictan que las mujeres están subordinadas a los hombres. Las mujeres son consideradas inferiores a los hombres desde el nacimiento. Se considera que una mujer indígena existe para procrear, servir a su padre, su hermano y luego a su esposo y a su familia, incluyendo a sus parientes políticos en algunos casos. En la mayoría de los casos, las mujeres no tienen ningún derecho de propiedad y, si tienen alguno, no pueden pasarlo en herencia. En las pocas sociedades matriarcales o matrilineales, como los *lahu* y los *karen* de Tailandia, las tribus montañesas de Camboya o los *amis* de Taiwán, las mujeres generalmente tienen más control sobre la propiedad, los recursos y la producción, y existe una división más justa del trabajo entre los sexos. No obstante, ellas terminan perdiendo su estatus relativamente igualitario como resultado de la erosión de la cultura indígena tradicional. La conversión al islamismo o al cristianismo ha debilitado aun más la situación de las mujeres y ha reforzado su estatus subordinado a los hombres.

Tanto en las estructuras sociopolíticas indígenas como en las impuestas por el estado las mujeres indígenas son frecuentemente excluidas de los roles de dirección política. Son raramente consultadas sobre asuntos políticos concernientes a la comunidad y mucho menos involucradas en las tomas de decisiones reales, las cuales son usualmente realizadas en estructuras o instituciones dominadas por hombres, como el consejo aldeano tradicional. A las mujeres no se les permite detentar posiciones de liderazgo a nivel aldeano, ya que las mismas son usualmente pasadas de padre a hijo.

Las mujeres indígenas asiáticas juegan un rol fundamental en la producción en sus comunidades, basadas en su mayoría en la agricultura de subsistencia. Se dedican a la agricultura "swidden" o de arado en campos asentados, irrigados o en terraza, cargando con el peso del trabajo de azadonar, transplantar y escardar. El trabajo agrícola de las mujeres indígenas es generalmente aumentado por otras actividades productivas como, por ejemplo, la recolección, la pesca y las artesanías, el trabajo en telar, el trabajo de punto, la cestería y el bordado. En las sociedades cazadoras/recolectoras, son generalmente las mujeres las que recogen alimentos y otros productos forestales mientras los hombres cazan. En la actualidad hay también una creciente cantidad de mujeres indígenas que emigran a los centros urbanos en busca de trabajo en el sector formal e informal. Tanto como campesinas o como trabajadoras asalariadas, las mujeres indígenas son explotadas por las clases poseedoras. El mero hecho de que son mujeres agrava la opresión y la explotación que experimentan como miembros de las clases trabajadoras y como indígenas. Además, las mujeres se hacen cargo de casi todas las labores domésticas y de la crianza de los niños.

Es en este marco de discriminación y opresión de las mujeres indígenas que el fenómeno de la globalización apareció, para complicar aun más el problema. La globalización se ha introducido en diversos grados en las economías locales de

Mujer y niños kreung, Provincia de Ratanakiri, Camboya. Foto: Christian Erni

los diferentes países de Asia. No obstante, las presiones del mercado global son sentidas incluso en las comunidades más remotas de pueblos indígenas, con un profundo e intenso impacto sobre las mujeres indígenas.

Impactos de la globalización

La globalización procura la remoción de las barreras nacionales para permitir a las corporaciones multinacionales (MNCs) maximizar sus ganancias mediante el acceso libre y abierto a los recursos naturales. En la mayoría de los casos, la tierra donde viven los pueblos indígenas es donde todavía se encuentran muchos de los recursos naturales que restan en el mundo. Lamentablemente, es esta riqueza natural de los territorios de los pueblos indígenas la que ahora se ha convertido en el blanco de la explotación y comercialización por parte de las MNCs.

La globalización llega, entre otras cosas, en forma de operaciones mineras y madereras, construcción de represas y otros proyectos energéticos, agricultura de exportación, afluencia de artículos y productos agrícolas importados, proyectos de desarrollo turístico como parques nacionales y campos de golf, plantaciones agrícolas y establecimientos industriales. Mientras que las MNCs son claramente ganadoras en el proceso de globalización, también existen perdedores obvios – entre ellos, los pueblos indígenas cuya tierra y recursos son saqueados en la carrera de la globalización.

Los impactos particulares de la globalización sobre las mujeres indígenas de Asia son profundos y de largo alcance. La globalización tiene efectos sobre los diversos roles que juegan en la vida: como fuerzas productivas de la sociedad, como procreadoras y criadoras de niños y como miembros vitales de las comunidades indígenas.

La pérdida de tierras debido a las incursiones en los territorios indígenas de las MNCs, los proyectos gubernamentales o de los colonos, es crucial para decidir el destino de las mujeres indígenas. El desplazamiento físico de sus territorios ancestrales y de su base de producción conduce a la dislocación económica y cultural. Con la pérdida de su tierra, las mujeres también pierden control sobre los recursos naturales que han sido la fuente de su supervivencia desde su nacimiento. Ellas son marginadas de su rol integral en la producción agrícola.

La producción agrícola estuvo tradicionalmente en manos de las mujeres, quienes pasaban la mayor parte de su tiempo trabajando en los campos para producir alimentos para el consumo de su familia y otras necesidades. Ahora, las MNCs y los empresarios controlan firmemente la producción de cultivos de exportación en las plantaciones. Las mujeres se ven transformadas en trabajadoras asalariadas en estas plantaciones. Por ejemplo, en Malasia, la proliferación de grandes plantaciones de monocultivo que usan métodos mecanizados, fertilizantes químicos y pesticidas, ha desplazado a las mujeres rurales de sus cultivos. Aparte de la agricultura, otros medios de subsistencia como la pesca, la recolección, la caza, la cría de ganado y el pequeño artesanado, son afectados de la

misma manera, siempre en desventaja de las mujeres indígenas. De ser importantes fuerzas productivas, han sido reducidas a ser dependientes de sus maridos o de otros hombres.

La producción de alimentos para la exportación, los monocultivos de alto valor para el mercado y la importación de productos alimenticios básicos, junto con las políticas de globalización, han tenido el efecto general de degradar el medio ambiente y amenazar la seguridad alimenticia de los habitantes de las áreas rurales, en particular, los pueblos y las mujeres indígenas. Los efectos van desde la pérdida de la fertilidad del suelo, la erosión masiva de la tierra, la contaminación de las napas freáticas, la pérdida de los enemigos naturales de las pestes y la pérdida de la biodiversidad debido al uso de una mínima variedad de semillas certificadas. Como resultado, las mujeres indígenas que están principalmente dedicadas a la agricultura son incapaces de producir los alimentos necesarios para sus familias y caen en la trampa de la producción agrícola comercializada para la exportación.

Migración

La pobreza, la desvinculación de sus tierras ancestrales y la marginación de la agricultura de subsistencia han empujado a miles y miles de mujeres indígenas a emigrar a los centros urbanos, en busca de otras oportunidades de subsistencia. Algunas prueban suerte como trabajadoras migrantes o trabajadoras en el extranjero, mientras que otras cruzan las fronteras nacionales como refugiadas, huyendo de la represión militar armada en sus territorios.
En las ciudades, las mujeres indígenas tienen dificultad para encontrar empleo a causa de la discriminación prevaleciente contra los indígenas y las mujeres, y la carencia inherente de oportunidades de empleo en los países subdesarrollados de Asia. Algunas logran encontrar trabajos de bajo nivel en la economía formal como trabajadoras en las plantaciones, industrias, hoteles u otros establecimientos. Otras no tienen la fortuna de encontrar empleo regular. Sobreviven fundamentalmente a través de la economía informal, con trabajos ocasionales cuando los pueden encontrar, como empleadas domésticas, servidoras, vendedoras, lavadoras de ropa, tiradoras de "rickshaw", obreras de la construcción, etc. La mayoría termina como sub-empleadas o desempleadas, viviendo por debajo del nivel de pobreza en los barrios bajos de la ciudad.

Como trabajadoras, las mujeres indígenas son explotadas por los capitalistas en términos de salarios, beneficios y condiciones laborales. Además, experimentan la discriminación en el lugar de trabajo basada en el hecho de que son mujeres e indígenas. Caen fácilmente como víctimas de las prácticas flexibles de trabajo de los capitalistas, lo cual aumenta su explotación. En las plantaciones, las trabajadoras indígenas generalmente reciben sueldos más bajos que los hombres.

Muchas mujeres indígenas se ven forzadas a la prostitución en las ciudades. Personas inescrupulosas que buscan hacer dinero explotando a las mujeres pobres se dedican al tráfico sexual de mujeres y niños. Un caso particularmente serio es el de las mujeres indígenas refugiadas de Birmania que han huido de las operaciones militares excesivamente abusivas en sus territorios para refugiarse en Tailandia. Estas mujeres han perdido todo y no tienen nada con qué ganarse la vida. Son presas fáciles para los traficantes que las fuerzan a prostituirse en los burdeles tailandeses. Muchas prostitutas de Tailandia provienen de Birmania y se estima que un 90% de las mismas tienen VIH/SIDA. La cantidad de mujeres indígenas prostituidas en los diferentes países asiáticos es asombrosa, alcanzando a cientos de miles en países como Tailandia, India y Taiwán.

La creciente prostitución es mayormente el resultado de la pobreza y la falta de tierras de los indígenas en áreas que han sido usurpadas por las corporaciones multinacionales explotadoras, los colonos o las fuerzas gubernamentales hostiles. En el interior, es el resultado de la afluencia de trabajadores masculinos a las tierras de los pueblos indígenas. Los hombres que han venido a trabajar en las plantaciones, compañías madereras u operaciones mineras, usualmente dejan a sus esposas y familias en casa y recurren a las mujeres locales por sus servicios sexuales. En Kalimantan, Indonesia, es claro que la prostitución surgió con la aparición de las compañías madereras en el territorio indígena.

Aumento de la carga laboral, problemas de salud y violencia

Un impacto adicional de la pérdida de la tierra, la marginación de las mujeres de la agricultura de subsistencia y la destrucción del medio

ambiente, es el mayor peso de la carga laboral sobre las mujeres indígenas en el hogar. La pérdida de agua y bosques debido a la minería, la explotación maderera, las plantaciones o la creación de parques y reservas forestales, hace difícil para las mujeres mantener el suministro necesario de agua y combustible en el hogar. Están forzadas a cubrir largas distancias para buscar agua en pesados baldes o hacer cola durante muchas horas junto con otras mujeres en las pocas fuentes restantes de agua natural. La madera de los bosques ya no está disponible y se ven forzadas a obtener dinero para comprar combustible comercial. Además, la ausencia de servicios sociales básicos, que se supone deben ser provistos por el gobierno, hace más difícil a las mujeres indígenas mantener el bienestar de la familia.

La negligencia con respecto al bienestar de los pueblos indígenas por parte del gobierno prevalece, como puede verse en el inadecuado suministro de servicios sociales. El cuidado de la salud, la educación, los caminos, las redes de comunicación y los servicios como el agua y la electricidad, son generalmente el interés de las mujeres de la comunidad. Los pueblos indígenas tienen generalmente un peor estado de salud y menos servicios médicos disponibles. Por ejemplo, en Birmania, los pueblos indígenas tienen el índice más elevado de mortalidad infantil, los niveles más bajos de ingreso, los índices más elevados de analfabetismo y carecen de acceso a los servicios básicos de salud, educativos y sociales del país en comparación con otros birmanos. En términos de su salud, las mujeres también están en desventaja en relación con los hombres. En Nepal, la expectativa de vida femenina es de 53 años, 3 años menos que la masculina.

En esta era de globalización, los problemas de salud más comunes enfrentados por las mujeres indígenas incluyen servicios inadecuados de salud, falta de educación y problemas con las medicinas occidentales, pérdida de las medicinas indígenas, la promoción de medicamentos caros que conduce a grandes gastos para la familia, la esterilización forzada de las mujeres y otras operaciones de planificación familiar, un aumento de la mortalidad de las mujeres y niños debido al arduo trabajo físico, incluso en los períodos de embarazo, y problemas de salud relacionados con el uso de agroquímicos tóxicos en las plantaciones y las granjas comerciales.

Los casos de violencia cometidos contra las mujeres indígenas también están en aumento. La violación de mujeres y niños es un suceso común y extendido, particularmente en áreas arrasadas por la guerra o conflictos armados. La violación de mujeres en la guerra es tan parte de la misma como el matar soldados. La percepción general es que la violación es un resultado natural, normal o inevitable de la guerra. La violación de las mujeres indígenas ha sido usada por los soldados, o incluso los colonos, como un arma para la represión sistemática y la dislocación de los indígenas.

Otro aspecto de la violencia es la cometida contra las mujeres trabajadoras migrantes. Se ha informado de miles de casos de abuso físico, sexual, verbal y emocional cometidos por los empleadores contra las trabajadoras migrantes, aunque hay muchos más que no están documentados. Los peores casos son los de las mujeres que han vendido su tierra y propiedades para poder pagar su pasaje y cuota de colocación a una agencia reclutadora, y que vuelven a su hogar como un cuerpo sin vida, víctimas del abuso. En la Cordillera, Filipinas, no existe casi ninguna comunidad que no tenga un contratado en el extranjero o trabajadoras emigrantes provenientes de su área. Las historias de abuso y violencia experimentadas por las trabajadoras indígenas migrantes de la Cordillera son algo común.

Quebrantamiento de la cultura tradicional

Una preocupación particular es el impacto de la globalización sobre los niños de los pueblos indígenas. Entre los impactos más significativos se encuentran la desnutrición infantil debida a la pobreza, el creciente consumismo de la juventud debido a la creación de nuevas necesidades, la falta de oportunidades educativas en la escuela y en el hogar, la pérdida de áreas tradicionales y naturales para la recreación de los niños, la atención negligente de los niños por parte de los padres que están forzados a trabajar en lugares distantes y el trabajo infantil. En Tailandia, por ejemplo, muchas madres están forzadas a buscar trabajo en la ciudad. Son sacadas de su hogar y apartadas del contacto diario con sus hijos. La ausencia materna del hogar deja un gran vacío en el conocimiento del niño de la cultura tradicional, la cual es usualmente transmitida por la madre a través de la práctica. El quebrantamiento de las prácticas culturales tradicionales contribuye a la disgregación del sistema familiar, acarreando la separación de muchos matrimonios o familias destruidas. Los niños están creciendo con múltiples problemas como resultado de esta difícil situación familiar.

El quebrantamiento de la cultura y creencias tradicionales de los pueblos indígenas es un resultado directo de su integración a la cultura dominante y a la economía globalizada de mercado. Los problemas como la inmoralidad, la drogadicción, el alcoholismo, el tráfico de opio y lo suicidios están en aumento en las comunidades indígenas donde la cultura tradicional ha sido debilitada. La cultura tradicional no sólo es debilitada sino incluso comercializada para obtener dinero y promover el turismo. Para las mujeres, esto ha significado una pérdida de control sobre su cultura. Las artesanías tradicionales hechas por las mujeres, que les brindaban un sentimiento de orgullo y algún ingreso, han sido copiadas por empresarios que reproducen masivamente diseños y artesanías tradicionales para obtener ganancias.

Tradicionalmente, las mujeres indígenas actúan frecuentemente como curanderas o líderes espirituales de la comunidad. Poseen una riqueza enorme de conocimiento indígena relativo a la agricultura y a la medicina herborística y tradicional. Por ejemplo, las mujeres tienen conocimiento de las variedades de semillas indígenas de

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Mujeres dieron Sabah Mallasia
Foto: Christian Erni

arroz y otras plantas. Ellas saben qué tipo de semillas y plantas son necesarias para asegurar una cosecha abundante, para proveer las necesidades nutricionales de la familia y para curar enfermedades simples. El creciente control de las corporaciones biotecnológicas sobre las semillas usadas en la agricultura está marginando a la mujer indígena campesina de este importante papel en el comunidad.

Las tendencias de la situación de las mujeres indígenas asiáticas descritas anteriormente revelan claramente un modelo de violación de los derechos de las mujeres indígenas. Los derechos de las mujeres y de los pueblos indígenas, contenidos en varios instrumentos internacionales de derechos humanos, son sistemáticamente transgredidos en una miríada de formas. Entre los instrumentos y convenios internacionales relativos a las mujeres se encuentran el *Convenio sobre la Eliminación de Todas las Formas de Discriminación Contra las Mujeres*, las *Estrategias de Futuro de Nairobi para la Promoción de las Mujeres*, la *Declaración* y la *Plataforma de Acción de Pequín*. En lo que se refiere a los derechos de los pueblos indígenas, la *Carta de las Naciones Unidas* y otros instrumentos como el *Convenio Internacional sobre Derechos Económicos, Sociales y Culturales* y el *Convenio Internacional sobre Derechos Civiles y Políticos* declaran que "todos los pueblos tiene el derecho a la autodeterminación". Además, los *Convenios 107 y 169 de la Organización Internacional del Trabajo* reconocen el derecho de los pueblos indígenas y tribales al control y la propiedad de sus tierras y territorios.

El movimiento de las mujeres indígenas

La experiencia de ser violadas, oprimidas y explotadas es precisamente el factor determinante en la organización de un movimiento de pueblos indígenas. En Asia, los pueblos indígenas, incluyendo a las mujeres indígenas, han conducido luchas de vida o muerte contra el etnocidio, el desposeimiento de la tierra y la opresión nacional. Han establecido organizaciones a todos los niveles, desde el local al internacional y han lanzado diversas actividades en defensa de su tierra, vida y recursos.

Las mujeres indígenas han hecho lo suyo mediante la participación en las luchas comunitarias generales así como también mediante el establecimiento de sus propias organizaciones y redes de mujeres, local e internacionalmente. Son dignas de mencionar la Red de Mujeres Indígenas Asiáticas (AIWN), fundada en 1993, Innabuyog (Federación Regional de las Mujeres Indígenas de la Cordillera), la Red de Mujeres Indígenas de Camboya, la Unión de Mujeres Naga de Manipur, la Asociación de Madres Naga, el Foro de Mujeres Indígenas de Jharkhand, la Organización de Mujeres Karen, la Red de Pueblos Jhumma de Asia-Pacífico, Ghusumar Mahila Sangathan, entre otras. Las formas de acción que han utilizado abarcan desde acciones de protesta políticas y confrontativas, piquetes, litigación y proyectos socioeconómicos locales de auto-ayuda.

La situación actual de las mujeres indígenas de Asia no podría estar más alejada de la imagen de igualdad y dignidad humana previstas en las declaraciones existentes de derechos humanos, derechos de las mujeres y derechos de los pueblos indígenas. Las mujeres indígenas siguen siendo los sectores de la sociedad más pobres, más violados, más oprimidos, más menospreciados y más explotados. Su situación es una oscura imagen de la miseria humana pintada por los poderes existentes, los cuales codician la tierra de los pueblos indígenas y harían cualquier cosa para controlar el poder y los beneficios en la economía global. Las características redentoras de esta imagen son las luchas de los mismos pueblos indígenas, que han perseverado, a pesar de estar en amplia desventaja. Su lucha como pueblos indígenas y como mujeres por la autodeterminación y la igualdad es un rayo de luz para el futuro de la humanidad.

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ACUSACIONES DE BRUJERÍA EN JHARKHAND, INDIA

Algunos casos recientes

Por Samar Bosu Mullick

Mujer y niño en una reunión aldeana. Jharkhand. Foto: Roger Begrich

Jharkand esta ubicada en la parte oriental del cinturon central tribal de la India. Es una región de mesetas boscosas rodeada por los estados de Bihar en el norte, Orissa en el sur, Bengala Occidental en el este y Madhya Pradesh en el oeste. Es el territorio ancestral de varios pueblos indígenas y análogos. La región es conocida por la larga historia de incesantes luchas de sus pueblos por la protección de su identidad indígena y tierras ancestrales, bosques y agua.

Caza de brujas

La crisis social y económica que está experimentando hoy la sociedad indígena de Jharkhand no solo es causada por la agresión de fuerzas externas sino también por sus propios factores internos. El más importante de estos factores internos ha sido la desenfrenada caza de brujas. Esto no sólo implica un continuo proceso de degradación y deshumanización de las mujeres en la sociedad sino que también perpetúa una división de género dentro de la misma que debilita a la sociedad desde su interior. Sin embargo, la creencia popular ha sido, por el contrario, que las "brujas" tienen que ser eliminadas regularmente para fortalecer la sociedad contra agresiones externas.

Durante todas las grandes luchas del pasado, como la de Santal Hul de 1855, la de Birsa Ulgulan de los *mundas* en el último cuarto del siglo XIX e incluso el reciente levantamiento de Ho en la década de 1980, los líderes ordenaron la matanza de brujas para lograr una purificación de la sociedad, necesaria para ganar la batalla. Sin embargo, ninguna batalla podía ser ganada a tan alto costo de vidas femeninas. Pero eso no ha detenido a los hombres de continuar con su atroz arremetida contra las mujeres. Bajo la presión popular de la administración y algunas organizaciones no-gubernamentales, el gobierno de Bihar aprobó la Ley de Prevención de Acusación de Brujas de 1999. Se declaró que el objetivo de la Ley era impedir que las mujeres fueran identificadas como brujas y detener la tortura, el deshonor y la matanza de mujeres por la sociedad a causa de las mismas razones. Sin embargo, la Ley, a más de un año de su promulgación, no ha tenido ningún resultado significativo. Por el contrario, de acuerdo a un jefe de aldea de la tribu Ho del Bloque Desarrollista Khuntpani en el distrito de Singhbhum Occidental, la cantidad de incidentes de acusación y muertes por brujería en el distrito ha aumentado después de la promulgación de la Ley.

La cantidad de casos registrados en las estaciones de policía de otros distritos no muestra signos de disminución de la orgía masculina de matar y torturar brujas. Este hecho hace recordar que la misma iniciativa fue tomada por el gobierno colonial británico en la última mitad del siglo XIX. Los hombres *santal* se sintieron agraviados por esta decisión y demandaron una reconsideración de la misma. Dijeron que las brujas estaban infligiendo dolor y muerte en su feliz y pacífica vida.

Por lo tanto, las iniciativas del gobierno colonial y del gobierno independiente durante más de un siglo han resultado nada más que en una afirmación enfática de la sociedad indígena, dominada por los hombres, de sus creencias en la existencia de brujas y su determinación de erradicarlas.

La estigmatización de la largamente establecida práctica de hostigamiento y muerte de brujas como producto de creencias supersticiosas y la utilización de modernos métodos de educación y salubridad como cura para este problema no ha dado resultado alguno. Se informa que los hombres tribales educados no son menos entusiastas en la eliminación de brujas que sus hermanos "ignorantes y supersticiosos". En forma similar, a pesar de la presencia del sistema medicinal moderno, la muerte y las enfermedades siguen ocurriendo así como lo hace la identificación de mujeres como brujas que las causan. La creencia está profundamente arraigada y sirve ciertamente a un propósito social.

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Los siguientes son algunos casos recientes de acusación de brujería, tortura y muerte, que revelan hechos interesantes.

Caso – 1

Aldea: Sarauni Kala, Hazaribagh. Mufassil (Suburbana) P.S.
Acusada: Bhagia Devi
Acusador: Khago Prajapati, esposo de la acusada
Tribu/casta: Casta Registrada – Prajapati
Forma de castigo: Muerte por degollamiento
Ejecutada por: El esposo

Ref. Prabhat Khabar 20 de feb. 2000

El caso

"El espíritu entró en su cuerpo. Ella planeaba comerse a mi hijo (su hijastro). Mi esposa era una bruja", Dijo Khago.

Khago se casó con Bhagia de Kharna Bera bajo la jurisdicción de la Estación de Policía de Bishnupur mientras que su primera esposa estaba viva. Bhagia era una viuda sin opciones. Su segundo casamiento fue fructífero y dio a luz a un hijo y dos hijas. Khago tenía tres niños de su primer matrimonio. El mayor de los tres, un hijo llamado Nrayan, desarrolló una especie de enfermedad crónica. Khago sospechaba que la mano de Bhagia estaba detrás de esto. En la medida en que su aprehensión se profundizó, se decidió a matarla. El 10 de febrero, llevó a Bhagia al bosque pidiéndole que recogiera leña. En el momento en que Bhagia se detuvo a recoger una rama seca de un árbol, Khago hizo un tajo en su cuello con un arma filosa. Luego abandonó el cadáver allí durante algún tiempo y más tarde volvió a cortarle la cabeza y enterrarla cerca de un riachuelo. Luego, por iniciativa propia, informó a la policía que su segunda esposa había desaparecido; que había ido al bosque y no había vuelto. También informó a sus suegros y les solicitó buscar a su hija. La policía recuperó el cadáver de Bhagia dos días después pero no pudo encontrar la cabeza hasta que obtuvieron una pista de parte de algunos de los aldeanos de la aldea de Khago. Este fue arrestado y acusado de asesinar a Bhagia Devi.

Esto ejemplifica una instancia de esfuerzo individual para eliminar a la "bruja". La causa provocante fue una enfermedad incurable.

Caso – 2

Aldea: Mukund Gaon, Hazaribagh. Mufassil (Suburbana) P.S.
Acusada: Samudri Devi
Acusador: El cuñado y su familia
Tribu/casta: Casta registrada – Viswakarma
Forma de castigo: Intento de asesinato
Ejecutado por: Los acusadores

(Ref. Prabhat Khabar 22 de febrero del 2000)

El caso

"No soy una bruja. No he comido ninguna vaca. La gente me quiere matar por nada. Un día trataron de matarme oprimiéndome la garganta. Mi cuñado y su esposa e hijos me odian. Han hecho que mi vida social sea insoportable", dijo Samudri Devi, de 45 años, de Mukund Gaon en la Estación de Policía de Mufassil (suburbana), Hazaribagh. Ella tiene una feliz familia con su esposo Kailash Vishwakarma y sus hijos. Pero la gente está envidiosa de la familia. Los aldeanos

Mujer mundá con arado de dejar y terreno. Jharkhand. Foto: Roger Bilgrien

Mujer birhor acarreando productos forestales recién recolectados, Jharkhand. Foto: Roger Begrich

tienen una fuerte creencia en la existencia de brujas y fantasmas y todos quieren que la familia abandone la aldea. La policía ya ha arrestado a dos de los acusados por el Primer Informe Investigativo presentado por Samudri Devi. Los otros dos se han escondido.

Esta es una instancia de acusación por un sector de los miembros familiares apoyados por otros aldeanos. La causa aparente es la muerte de una vaca.

Caso – 3

Aldea: Dumar Gaon, Hazaribagh, Mufassil (Suburbana) P.S.
Acusada: Keshvati Devi
Acusador: Tulsi y Munsi Rana
Tribu/casta: Casta – Teli
Forma de castigo: Golpes severos
Ejecutado por: Los acusadores

(Ref. Prabhat Khabar 6 de marzo, 2000)

El caso

De acuerdo al hijo de la acusada, su madre ha sido víctima de la furia de sus vecinos supersticiosos durante largo tiempo. La acusación contra ella ha sido que da el "mal de ojo". Quienquiera que ella mire cae enfermo. El Consejo Aldeano celebró reuniones sobre este tema y amonestó a los acusadores un par de veces antes. Pero a pesar de esto, ella ha sido hostigada una y otra vez. En una oportunidad, planteó una demanda escrita contra los actuales acusadores, Tulsi y Munsi Rana. No obstante, la policía no tomó ninguna acción contra ellos. El actual incidente sucedió ayer por la mañana. Los Ranas trajeron la bomba de agua para irrigar su tierra. La máquina no funcionó. Los hermanos Rana creyeron que era el mal ojo de Keshvati que había causado el problema. Comenzaron a abusar de ella diciéndole palabras obscenas. Cuando su hijo se opuso a esto lo atacaron físicamente. Al ver esto, su madre vino a su rescate y, consiguientemente, fue también golpeada severamente. Más tarde, la madre y el hijo fueron a la estación de policía y presentaron un Primer Informe Investigativo. La policía registró los casos bajo las secciones 341, 323 y 504/34 de IPC y 4 y 5/6 de la Ley de Prevención contra la Brujería contra los hermanos Rana. Ninguno de ellos fue arrestado hasta que este informe fue escrito.

Esta es una instancia de acusación por un sector de los vecinos. La causa aparente es una máquina que se descompuso.

Caso – 4

Aldea: Sundarpur Toli, Palkot P.S.
Acusados: Ratia Baraik, Asari Devi, Bishmuni Devi, Kaushalya Kumari y Fagu Chik Baraik.
Acusadores: Ranjit Baraik, Moti Baraik, Bhuneswar Baraik, Manu Baraik y Dilu Baraik
Tribu/casta: Tribu – Chik Baraik
Forma de castigo: Golpes severos e ingestión forzada de excrementos humanos
Ejecutado por: Los acusadores y otros 20 o 25 aldeanos

(Ref. Prabhat Khabar 7 de marzo, 2000)

El caso

De acuerdo al Primer Informe Investigativo presentado por Asari Devi, una de las víctimas, ella estaba en su casa el 4 de marzo junto con su esposo Fagu, su yerno Ratia y sus hijas Bishmuni y Kaushlya. Su esposo y su yerno recién habían vuelto del campo y estaban almorzando. En ese momento, Ranjit vino con cuatro o cinco personas de la aldea y les pidió que asistieran a la reunión del *panchyat* (consejo) de la aldea que estaba en sesión. Los llevó a la reunión. Ranjit y otros nombrados en el Primer Informe Investigativo acusaron a Ratio, el yerno, de ser un brujo. Luego comenzaron a golpearlo con palos. Cuando el resto de los miembros de la familia trató de

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rescatarlo, fueron también golpeados severamente. Después de eso, fueron forzados a comer excrementos humanos.

Asari Devi informó además que, previamente, el mismo grupo de personas también había acusado a Gotar Urain, esposa de Pade Uraon, Rijhe Urain, esposa del difunto Chamra Uraon y Riba Uraon, hija de Bhola Uraon, de practicar la brujería. Raparon la cabeza de estas mujeres y las forzaron a abandonar la aldea.

En ambos casos, el objetivo aparente de la acusación de brujería parece ser expulsar a los acusados de la aldea. En el primer caso, la familia no tiene hijos varones. El yerno es un *ghar jamai* (el yerno viviendo con su familia política). Su expulsión de la aldea beneficiaría materialmente a los parientes inmediatos de la familia.

Caso – 5

Aldea: Garhatoli, P.S. Gumla, Distrito Gumla
Acusada: Lohri Uraon, edad: 65 años
Acusador: Birsu Uraon
Tribu/casta: Tribu – Uraon
Forma de castigo: Muerte
Ejecutado por: Birsu Uraon

(Ref. Prabhat Khabar - 25 .4. 2000)

El caso
De acuerdo al Primer Informe Investigativo presentado por los aldeanos en la estación de policía, Lhrori Uraon estaba sentada en el patio de su casa cuando vino Birsu Uraon y la acusó de practicar brujería. Tomó una silla de madera que estaba cerca y le pegó en la cabeza con la misma hasta que ella emitió su último suspiro. Por cierto ella gritó y clamó por ayuda pero nadie acudió a su rescate. Era una mujer soltera con control sobre alguna tierra familiar para su subsistencia, lo cual es una práctica común. El motivo inmediato de Birsu podría haber sido apropiarse de su tierra, la cual naturalmente pasa a las manos del próximo miembro masculino del linaje después de la muerte de la viuda o soltera, según sea el caso.

Esta es una instancia de acusación por un miembro de la familia apoyado por otros aldeanos. La causa aparente es desconocida pero el motivo era apropiarse de la tierra.

Caso – 6

Aldea: Ambria, Distrito: Singhbhum Occidental
Acusada: Mecho Purti, edad 50 años
Acusador: Ramai Purti
Tribu/casta: Tribu – Ho
Forma de castigo: Muerte
Ejecutado por: Ramai Purti, Durgacharan Shundi y otros cinco

(Ref. Documentation Centre, Tribal Women's Council, Singhbhum – 19.12.1999)

El caso:
Era temprano en la tarde. Mecho Purti, de unos 50 años de edad, estaba conversando con sus dos vecinas amigas. Su esposo no estaba en casa. Repentinamente, siete personas con sus caras cubiertas con trapos entraron en la casa. Uno de ellos, luego identificado como su yerno, la acusó de practicar la brujería y comenzó a golpearla con una vara de hierro hasta que ella cayó en un charco de sangre. La mañana siguiente, el jefe de la aldea fue forzado por el esposo de la víctima a presentar un Primer Informe de Investigación en la estación de policía más cercana. Sobre la base de este informe de los testigos oculares, la policía pudo arrestar sólo a uno de los acusados, llamado Durgacharan Shundi, quien confesó el crimen. Pero el verdadero asesino se escabulló entre los dedos de la policía.

Esta es una instancia de acusación por parte de un miembro familiar apoyado por otros aldeanos. La causa aparente no es conocida.

Causas subyacentes de las creencias en brujería

Aunque estos casos son recogidos al azar, revelan diferentes tipos de acusaciones y diferentes formas de castigo. También muestran que la creencia en brujería y la práctica de torturar y matar mujeres en base a las acusaciones de practicar brujería no está confinada sólo a las tribus (pueblos indígenas). Los pueblos análogos, en estos casos los Registrados y otras castas bajas, forman también parte del mismo sistema. No obstante, las tribus son más activas en la caza de brujas que sus vecinos de casta.

La institución de cazadores de brujas y el sistema de creencias en el cual están enclavados tienen una larga tradición en Jharkhand. Los mitos y leyendas tribales nos ofrecen suficientes pistas para concluir que fueron tomados de los pueblos de las llanuras vecinas, junto con el proceso de sedentarización de las tribus. Por lo tanto, la creencia en brujas no se encuentra en las tribus nómadas forrajeras como los *birhor* y los *kadaku*.

Pero ¿cuál fue la compulsión social de asumir una institución aparentemente inhumana y sus creencias relacionadas? La respuesta no puede ser evadida señalando a una palabra bastante vaga como "superstición". Todas las llamadas supersticiones tienen una base material. Entonces ¿cuál es la base material de la caza de brujas en Jharkhand? Los casos antes mencionados pueden brindar la respuesta.

Todos los casos tienen una cosa en común, es decir, una fuerte creencia en la eficacia de la brujería, las brujas

Mujer y niño munda. Jharkhand. Foto: Roger Bierach

pueden causar daño e incluso la muerte tanto a los seres humanos como a los animales. Aunque suene ridículo ¡incluso pueden dañar una maquina! La crueldad con la cual el acusado es torturado o matado solo puede ser explicada por la fuerza de la creencia, particularmente cuando el acusador es un familiar cercano, lo cual es frecuentemente el caso. Las brujas son matadas individualmente o colectivamente por sus propios miembros de linaje y los aldeanos y el crimen es cometido con la plena aprobación de los habitantes de la aldea. Aquellos que van contra la decision también son hostigados y torturados. También pueden haber brujos.

Debajo de los aparentes beneficios materiales yace una causa más importante socialmente de tales matanzas y hostigamientos, porque no todos los aldeanos se benefician materialmente de tales actos atroces.

Es cierto que la creencia tiene muchas dimensiones, tanto económicas como culturales, sociales y sobrenaturales. Pero en este momento sería sabio prestar un poco más de atención a los aspectos económicos y culturales de la misma.

El hecho de que la creencia en la brujería no se encuentra en las tribus forrajeras lleva a presumir que la creencia tiene alguna conexión cultural con la economía de la agricultura sedentaria y la estructura social patrilineal de las tribus importantes y las castas más bajas de la región. En esta coyuntura, debemos recordar que las castas bajas en Jharkhand no pueden ser igualadas con sus contrapartes de las llanuras. En Jharkhand estan muy cerca de las tribus, tanto económica como culturalmente. Por eso es que algunos antropólogos las llaman los pueblos "análogos".

En las llanuras, la creencia en la brujería entre las castas se ha convertido en algo del pasado. Por lo tanto, la creencia en la eficacia de la brujería es fuerte y la práctica de matar brujas está extendida sólo entre las tribus y los pueblos análogos. Ni la sociedad de castas de las llanuras ni los pueblos forrajeros la practican. Este hecho lleva a los investigadores a creer que, ademas de otros factores, la caza de brujas es un fenómeno de una sociedad que está en el proceso de establecer el patriarcado.

Aunque las principales tribus de Jharkhand son agricultores sedentarios, todavía son substancialmente dependientes de los productos forestales. Las mujeres realizan tradicionalmente el forraje, lo cual las provee de poder económico. Es más, como la sociedad todavía ha continuado –en gran medida- con tradiciones neolíticas, la mujer todavía goza de algunos derechos a los recursos del linaje de sus padres antes del casamiento y a los de su marido después del mismo.

El desarrollo pleno del patriarcado exige el fin de tales derechos y poderes de las mujeres. El poder de las mujeres en esta sociedad también deriva de su conocimiento ritual. El creciente patriarcado en la sociedad de Jharkhand necesita también, por lo tanto, hacer que las mujeres sean ritualmente impotentes para poder establecer un pleno dominio masculino en el área de lo sobrenatural. La sociedad tribal de Jharkhand debe haber tomado prestada la creencia en la brujería de sus vecinos de casta en respuesta a las demandas del patriarcado que comenzó a surgir con la adopción de la agricultura sedentaria. Por lo tanto, en el presente, la sociedad está pasando a través de un agudo conflicto de género resultante en la tortura inhumana y la matanza de mujeres.

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Mujeres tangkhul naga. Foto: Christian Erni

MUJERES POR LA PAZ EN NAGALIM[1]

Por Shimreichon Luithui

Para gran alivio de la sociedad civil, tanto hindú como *naga*, el acuerdo de alto el fuego entre el gobierno de la India y el Consejo Socialista Nacional de Nagalim-Isak-Muivah (NSCN-IM)[2] ha sido extendido por un año más a partir del 1 de agosto del 2000. En 1997, el gobierno indio tomó la decisión transcendental de entrar en negociaciones con el NSCN-IM, el principal movimiento nacional de resistencia naga. Este anuncio fue seguido por un acuerdo de alto el fuego entre las partes el 1 de agosto de 1997. El anuncio de conversaciones de paz indo-naga ante el Parlamento de la India después de 50 años de guerra sangrienta fue apoyado por todos los partidos políticos. Los nagas lo recibieron con optimismo y esperanza y aprovecharon la oportunidad de paz para expresar su fuerte apoyo al movimiento nacional de resistencia a través de actos públicos y consultas.

Los nagas son un pueblo mongoloide, que suma unas 3 millones de personas divididas en más de 40 tribus. Hablan lenguas estrechamente relacionadas de la familia lingüística tibeto-birmana. Los nagas viven en las montañas de la Cordillera Patkai entre la India y Birmania. La mayoría de ellos son agricultores de subsistencia y su principal cultivo es el arroz. Aproximadamente un tercio de su tierra cayó en manos británicas en 1879, los dos tercios restantes fueron luego designados como "tierra de nadie". Después de que los británicos se retiraron, Nagalim fue dividida entre la India y Birmania.

Mujeres tangkhul naga. Foto: Christian Erni

Los tres años de alto el fuego han permitido a la sociedad civil naga resurgir y participar activamente en la discusión sobre la cuestión política naga y comprometerse en un diálogo con grupos del movimiento nacional. Las mujeres naga, representadas por la Asociación de Madres Naga (NMA) en el estado de Nagaland y la Unión de Mujeres Naga de Manipur (NWUM) en el estado de Manipur, se han unido en el esfuerzo para la consolidación de la paz en Nagalim. Estas dos organizaciones de mujeres han estado trabajando con temas como ser: derechos humanos, deforestación y conservación, habilitación de las mujeres, oposición a la construcción de la represa multipropósito de Tipaimukh, alcoholismo y drogadicción. La presidenta de la NMA recibió este año el Premio Padma Shri en reconocimiento de su trabajo, un premio muy prestigioso, otorgado al trabajo social destacado, por el Gobierno de la India. Ya antes del alto el fuego las dos organizaciones estaban trabajando con otras importantes organizaciones naga como la Cumbre Naga Hoho (federación de consejos tribales tradicionales), el Consejo Unido Naga, la Federación de Estudiantes Naga (NSF), la Unión de Todos los Estudiantes Naga-Manipur, el Consejo de Iglesias y el Movimiento de los Pueblos Naga por los Derechos Humanos (NPMHR), para reducir la violencia y abusos contra la sociedad naga. Esta situación era principalmente causada por las fuerzas de seguridad indias y en parte por las luchas entre las fracciones. Desde el comienzo de las conversaciones de paz, las dos organizaciones de mujeres se han involucrado profundamente en el proceso de paz. Sus actividades conectadas con el proceso de paz se han concentrado en tres áreas: paz y reconciliación, participación en la capacitación, y el "diálogo de pueblo a pueblo" con la sociedad civil india.

Paz y reconciliación

Como consecuencia de 50 años de lucha contra el estado de la India, se han perdido miles de vidas humanas y la sociedad naga ha quedado golpeada y desolada. Pero su voluntad de continuar la lucha por su derecho a la autodeterminación está todavía intacta. El estado indio ha utilizado una política de "palo y zanahoria" y "dividir para reinar" para suprimir las aspiraciones de los nagas. Tuvo éxito en crear divisiones en el movimiento nacional y en la sociedad como un todo. Hoy, el movimiento de resistencia naga está dividido en tres grupos o fracciones: el NSCN-IM que tiene la base de apoyo mayor entre el pueblo naga; el NSCN-K – algunos de sus miembros están supuestamente trabajando en tándem con el Ministro del Estado de Nagaland, S.C. Jamir, quien es conocido por ser cooptado por el estado de la India; y los restos del antes dominante pero ahora severamente debilitado –Consejo Nacional Naga (NNC). Uno de los importantes problemas que enfrentan los nagas internamente es la lucha entre las fracciones NSCN-K y NSCN-IM, frecuentemente alentada por intereses creados.

La NMA y la NWUM han estado trabajando sin descanso por la reconciliación y la unificación de estos grupos. En este esfuerzo, como en muchas otras cuestiones que enfrenta la sociedad naga, están trabajando estrechamente con otras organizaciones naga antes mencionadas. Las NMA y la NWUM no

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han escatimado esfuerzos y han viajado por todos lados para reunirse con todos los grupos y fracciones. Por ejemplo, en los primeros días del alto el fuego caminaron durante dos días hasta Nagalim Oriental, en Birmania, para reunirse con el líder del NSCN-K, Khaplang. Sostuvieron discusiones libres y francas con él, lo exhortaron a la reconciliación con los otros grupos para encontrar una solución duradera a los problemas políticos naga. También participaron en la consulta con los dirigentes del NSCN-IM y la sociedad civil en Dimapur, Nagalim, el año pasado. Dos representantes de la NWUM se reunieron con la dirigente del NNC, Adino Phizo, y su hermano, quien es asesor del NNC, en Londres, el año pasado. Sostuvieron largas discusiones con ellos y también les exhortaron a ayudarlas a unificar a los diferentes grupos y fracciones.

Aunque ha sido difícil, las dos organizaciones han logrado establecer contacto con todas las fracciones y mantienen discusiones y diálogos regularmente con las mismas. Ayuda a aclarar malentendidos potenciales entre ellos y la sociedad civil y, sobre todo, con las diferentes fracciones. La NMA y la NWUM han logrado reunir algunos de los dirigentes de estas fracciones en reuniones informales. La intervención de las mujeres ayudó mucho a reducir las tensiones y la violencia en la sociedad.

Las mujeres activistas también han tenido diálogos informales con los políticos naga "legales", quienes a causa de intereses personales y oportunismo, han contribuido en gran medida a la división de la sociedad naga. Mantener el canal abierto a todos los niveles, crear un espacio para el diálogo entre los diferentes grupos con opiniones diversas son factores cruciales para curar las heridas y realzar la paz en la sociedad. Las mujeres naga están ciertamente jugando este rol muy efectivamente.

Como parte de la estrategia de la India para debilitar la lucha nacional naga, una sección del pueblo *kuki* que vive en partes de Manipur fue usada por las fuerzas de seguridad de la India para luchar contra los nagas. Esto condujo al estallido de una intensa violencia inter-étnica. Como resultado, cientos de hogares naga y kuki fueron quemados entre 1992 y 1996. Ambas comunidades perdieron centenares de vidas. Muchas aldeas fueron destruidas, causando enormes tragedias humanas y muchos aldeanos están todavía en los campamentos de refugiados. Actualmente no hay grandes enfrentamientos pero todavía existen tensiones entre las dos comunidades. En el momento más álgido del enfrentamiento naga-kuki, la NWUM había iniciado una campaña de paz para resolver el conflicto entre las dos comunidades, a través del diálogo y el entendimiento mutuo. Las mujeres se adelantaron para construir un puente entre las dos comunidades cuando era imposible que los hombres lo hicieran. La NWUM y las mujeres kuki continúan intentando encontrar formas de cooperar para lograr la paz y una relación normal entre los dos pueblos.

En la sociedad naga tradicional, las mujeres han actuado previamente como árbitros en tiempos de conflicto. Las mujeres cumplieron el papel de pacificadoras, por ej., en las batallas campales entre su aldea natal y la aldea en la cual se casaron. Levantando un palo en forma de Y podían entrar al campo de batalla y detener la guerra. Como estaban relacionadas con ambos lados por vínculos sanguíneos y por casamiento, ninguna parte podía dañarlas. La NMA y la NWUM de alguna manera están continuando esta tradición con nuevos medios.

Aunque es difícil ver resultados tangibles, las mujeres activistas sienten que hay un cambio positivo y en alguna medida, existe una mayor comprensión entre los nagas. Al menos, desde el alto el fuego, la matanza fratricida entre los nagas ha sido mucho menor. Esto puede ser atribuido a que la gente tiene más oportunidad para discutir y aclarar las cosas y hay menos espacio para que los intereses creados puedan hacer su juego. Ademas existe una fuerte presión de la sociedad civil para que se evite la violencia. En la actual situación, donde todo tipo de opiniones conflictivas son mantenidas en vida por intereses creados, las mujeres que gozan de la confianza de todas las partes están jugando un rol muy crucial en la promoción del diálogo y el entendimiento mutuo y, por lo tanto, en traer paz a la sociedad.

Participación en la capacitación

La NMA y la NWUM han estado participando en varios seminarios y programas de entrenamiento sobre paz y capacitación para poder impactar positivamente las actuales conversaciones de paz indo-naga. Al mismo tiempo, la NWUM ha realizado varios pequeños talleres en el ámbito aldeano sobre métodos de participación democrática en el proceso de paz y los aldeanos han respondido con mucho entusiasmo. Se ha aprendido de la experiencia pasada que para mantener las conversaciones de paz en marcha y alcanzar una solución implementable, es necesaria la más amplia aceptación y apoyo posible del pueblo. Por lo tanto, es importante asegurar su activa participación. Los dirigentes que están sentados en la mesa de negociaciones tienen que estar respaldados por una bien informada sociedad civil. Por eso, los talleres sobre construcción de capacidad son muy importantes. Los dirigentes naga, por su parte, han respondido muy positivamente a la creciente participación de la sociedad civil. Desde 1999 tienen lugar extensas consultas con la sociedad civil para encarar el tema de la diferencia de opiniones y de la clarificación. En este contexto, el Organismo Consultor, consistente de los consejos tribales y algunas ONGs, establecido por la sociedad civil y el NSCN-IM en mayo del año pasado, es muy importante. Tenemos la esperanza de que sea desarrollado en un mecanismo para la efectiva participación de la sociedad civil en el proceso de negociación.

La participación de la NMA y la NWUM en la capacitación para mejorar sus habilidades es también parte de un proceso de fortalecimiento, para asegurar que las opiniones y posiciones de las mujeres sean tomadas en cuenta en las discusiones sobre el futuro de la sociedad naga. Las mujeres, preocupadas, han trabajado incansa-

blemente por la paz y por la creación de una sociedad mejor. Y debido a su coherencia y el rol crucial que juegan, han ganado mucho respeto. Sin embargo, tendrán que asegurar que este respeto se convierta en un reconocimiento duradero de su papel en la política y que se garantice su participación a todos los niveles del proceso de toma de decisiones políticas, especialmente una vez que se logre una paz duradera. Por ejemplo, las mujeres naga todavía no tienen un lugar en el consejo aldeano y en el *Hoho* (consejo) tribal. Aunque muchos hombres nagas todavía tienen que ser educados con respecto a la igualdad de género en la sociedad, muchas mujeres todavía necesitan aliento para afirmar sus derechos. Las mujeres naga son tan educadas y capacitadas como los hombres, pero generalmente les falta simplemente la confianza en sí mismas para tomar parte activa en las discusiones y procesos de toma de decisión que son tan fundamentales para el futuro de sus comunidades y la sociedad naga como un todo.

"Diálogo de pueblo a pueblo" con la sociedad civil de la India

Existe una fuerte convicción en la sociedad civil naga de que para lograr un resultado exitoso de las conversaciones de paz indo-naga, es muy necesario forjar un mejor entendimiento y un respeto mutuo entre la sociedad civil india y la naga. Hasta ahora, los nagas han interactuado principalmente con el gobierno de la India y han habido demasiadas distorsiones y malentendidos sobre el problema político indo-naga en la opinión pública. Por esta razon, se inició un "diálogo de pueblo a pueblo" directo en el cual los representantes de la sociedad civil tienen la oportunidad de explicar mutuamente sus situaciones, opiniones, esperanzas y preocupaciones. Esto, se espera, podría ayudar a reparar la turbulenta relación y contribuir a encontrar una forma aceptable de resolver el conflicto entre los dos países. Por eso, el NPMHR junto con las principales organizaciones naga, han decidido organizar "Viajes de conciencia" a alguna de las principales ciudades de la India. Tanto la NMA y la NWUM son activas participantes en esta iniciativa.

El primer viaje con una delegación naga de 66 miembros fue realizado a Delhi en enero de este año. Los delegados mantuvieron consultas interactivas con organizaciones de derechos civiles y democráticos con sede en Delhi junto con eminentes intelectuales. También tuvieron reuniones separadas con estudiantes naga en Delhi.

El viaje a Delhi fue concluido con una exitosa *Marcha de la Paz* a Gandhi Samidhi Rajghat, donde están enterrados los restos mortales de Mahatma Gandhi, el padre de la India. A los nagas se les unieron representantes de muchas organizaciones indias, incluyendo los estudiantes. Este homenaje a Mahatma Gandhi fue simbólico porque Gandhi comprendió y reconoció los derechos y aspiraciones de los nagas. Los nagas quieren construir una relación con la India basada en esta promesa.

La sociedad civil india ha dado la bienvenida a la iniciativa tomada por la sociedad civil naga. La respuesta en Delhi fue muy buena. Mientras tanto, algunas de las organizaciones indias habían invitado a las principales organizaciones naga, incluyendo a la NMA y la NWUM, para realizar consultas. Las mujeres activistas encontraron muy útiles tales consultas, como pasos en la dirección apropiada para construir un mejor entendimiento y un respeto mutuo entre los dos pueblos.

Las iniciativas de los hindúes en apoyo del proceso de paz continúan ahora en diferentes niveles. Intelectuales de Delhi y tres ex Primeros Ministros de la India han enviado cartas al gobierno de la India en las cuales urgen al mismo a mantener el alto el fuego y retomar las conversaciones de paz de una manera constructiva y significativa. También apelaron al gobierno de la India a dirigirse al gobierno de Tailandia con la solicitud de que libere al líder del NSCN, Th. Muivah, quien ha sido encarcelado en Tailandia. Muivah, el líder del equipo naga de negociación de paz, fue arrestado por las autoridades de Tailandia en enero de este año por viajar con un pasaporte falso.

La sociedad civil naga, junto con intelectuales, políticos, activistas de los derechos humanos de la India y Tailandia y de otros países se han reunido dos veces en Bangkok desde julio de este año para expresar su apoyo a Muivah y para discutir temas relacionados con el proceso de paz. La NMA y la MWUM también participaron. Estas reuniones fueron sumamente constructivas, y marcan el comienzo de una estrecha y potencialmente muy fructífera cooperación entre la sociedad civil de la India y la naga. Esta cooperación y el rol activo que las mujeres naga juegan hoy pueden probar finalmente ser decisivos para alcanzar una paz duradera para los nagas.

Notas

1 Los nagas han comenzado a usar la palabra "Nagalim" en vez de "Nagaland" desde 1997. "Lim" significa simplemente "tierra" en lengua *ao naga*. Cuando los nagas se refieren a Nagalim significa toda el área habitada por nagas de la misma manera que han usado la palabra "Nagaland" que ha sido dividida por los británicos entre India y Birmania. La Unión India creó un estado en 1963, llamado Nagaland que comprende solamente un tercio de la tierra habitada por los nagas.

2 El NSCN se dividió en 1988 en dos fracciones, el NSCN-K bajo la dirección de Khaplang y el NSCN-IM bajo la dirección de Isak y Muivah.

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ATROCIDADES CONTRA LAS MUJERES INDÍGENAS DE BIRMANIA

Por Debbie Stothard

"Es hora de que llamemos la atención mundial sobre las condiciones abismales bajo las cuales tantas mujeres de Birmania se ven forzadas a existir, no sólo durante semanas o meses sino año tras año..."

Aung San Suu Kyi

Todos los grupos étnicos, con la excepción de las comunidades inmigrantes anglo-birmanas y las del sur y del este de Asia son considerados indígenas de Birmania, en sus localidades específicas. Birmania alberga una gran diversidad de grupos nacionales étnicos, siendo los más conocidos los *chin, kachin, arakaneses, mon, shan, karen* y *karenni*. Los birmanos étnicos que dominan el área del rico delta también dominan el gobierno central. Es el ejército dominado por los birmanos que gobierna al país con mano de hierro.

Birmania obtuvo su independencia de Gran Bretaña en 1948, un año después de la independencia el héroe Aung San ayudó a redactar el Acuerdo de Panglong, que garantizaba los derechos de los pueblos étnicos de Birmania. Sin embargo, después de la independencia, los diversos grupos étnicos sintieron que esos derechos estaban amenazados y cundió la insatisfacción. Se desató una guerra entre los karen y el ejército birmano. En 1962, el caudillo militar Ne Win dio un golpe en nombre de la necesidad de estabilidad. Desde entonces, Birmania ha sido gobernada por una sucesión de juntas bajo la dirección o influencia de Ne Win.

En 1988, Ne Win renunció a la presidencia del Partido del Programa Socialista de Birmania (BSPP) abriendo el camino para un sistema multipartidario. Sin embargo, este breve coqueteo con pensamientos democráticos acabó a continuación de una huelga general, el 8 de agosto de 1988 – el BSPP había hecho demasiado poco y demasiado tarde, y la gente estaba harta. Semanas después, Ne Win reagrupó sus filas y formó el Consejo Estatal de Restauración de la Ley y el Orden (SLORC) que finalmente celebró elecciones generales en mayo de 1990. Para la conmoción del SLORC, la Liga Nacional por la Democracia, liderada por Aung San Suu Kyi (entonces bajo arresto domiciliario) obtuvo una victoria resonante. La junta, reencarnada en 1997 como el Consejo de Paz y Desarrollo del Estado (SPDC), todavía se niega a cumplir con el resultado de estas elecciones.

Mientras tanto, el régimen militar continuó desplegando una guerra civil cada vez más amplia contra los pueblos étnicos de Birmania. Esta guerra civil ayudó a justificar los crecientes recursos gastados en la maquinaria militar y condujo a la creciente militarización de todo el país. Transformó los territo-

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rios de muchos grupos indígenas en campos de batalla y escenarios de desplazamiento, atrocidades de guerra y sistemática violación de los derechos humanos.

En situaciones de conflicto y opresión, son generalmente las mujeres y los pueblos indígenas los más afectados. Birmania no es una excepción. Las más brutales violaciones tienden a ocurrir más frecuentemente en áreas rurales, especialmente en las áreas fronterizas, donde hay grandes concentraciones de personas de origen étnico no-birmano.

En el contexto civil y político, la negativa del ejército a reconocer el resultado de las elecciones generales, que organizó en 1990, también perjudicó mucho a los grupos de nacionalidad étnica no-birmanos. La Liga Nacional por la Democracia (NLD) que ganó el 81% de los escaños del Parlamento, tiene un política mucho más progresista respecto a la diversidad étnica. El diecisiete por ciento de los escaños parlamentarios fueron ganados por partidos de base étnica y sólo el 2 por ciento por el Partido de Unidad Nacional, respaldado por el ejército. Varios partidos étnicos han sido prohibidos desde ese entonces.

Aunque algunos observadores consideran que los abusos civiles y políticos de la junta afectan principalmente a los disidentes birmanos, estos abusos también impiden a los grupos de nacionalidad étnica ejercer legítimamente sus derechos políticos. En Birmania es necesaria una mayor democracia porque implica un mayor espacio político y la posibilidad de los grupos étnicos y de la administración birmana de alcanzar una solución política pacífica.

Las mujeres en áreas de conflicto

La violencia sancionada por el estado es una de las más serias amenazas al bienestar de las mujeres, especialmente en las áreas étnicas. Esta violencia puede estar dirigida contra la población en su conjunto, en forma de trabajos y reasentamientos forzados, pero también puede estar dirigida específicamente contra las mujeres. La humillación y la violencia contra las mujeres han sido documentadas repetidamente como herramienta usada para aterrorizar a las comunidades.

Las mujeres han sido torturadas, violadas y asesinadas, y aquellas que hablan en contra de la injusticia han sido también objeto de violencia similar como ejemplo de lo que le sucede a los "alborotadores". Cuando las comunidades procuran justicia, es frecuente que no sean los perpetradores de la violencia sino las comunidades las que sufren.

La inestabilidad económica y la pobreza creciente son también grandes amenazas para el bienestar general. Las mujeres son las que levantan la pesada carga de proveer a sus familias, pero no tienen las mismas oportunidades educativas. La intención de cumplir con sus grandes responsabilidades provoca una creciente emigración a las ciudades y países vecinos, donde la explotación por traficantes es más frecuentemente la regla que la excepción para estas mujeres.

El acceso a los servicios de salud es generalmente limitado, especialmente en áreas rurales y de conflicto. Aproximadamente el 35% de la población carece de acceso a servicios de salud públicos primarios de cualquier tipo.

Las mujeres en áreas étnicas donde el trabajo forzado y el reasentamiento son problemas vigentes tienen extrema dificultad en mantener su propia salud y la de sus familias. No sólo hay una falta de servicios médicos, sino que no hay suficientes alimentos ni abrigo. Todo esto contribuye a un deficitario estado general de salubridad. Los trabajos forzados y el temor a la violencia por parte de las tropas del régimen militar obligan a muchas comunidades rurales a huir a la jungla. Allí la gente puede morir

Mujeres exiladas y refugiadas de diferentes nacionalidades étnicas celebran el Día de las Mujeres de Birmania, 19 de junio de 1999, en Tailandia. Foto: Altsean-Birmania

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de enfermedades que normalmente no son mortales, como varicela, fiebre y diarrea.

Las mujeres en áreas de conflicto se convierten generalmente en las principales aportadoras de ingreso cuando sus maridos son llevados para realizar trabajos forzados o son asesinados.

La falta de oportunidades laborales generalmente conduce al tráfico de mujeres de Birmania, tanto internamente de las áreas rurales a las ciudades como internacionalmente. Las mujeres son explotadas en varios ámbitos, los cuales incluyen la construcción, la agricultura, el trabajo de fábrica y el trabajo sexual. Viajar a través de contactos con intermediarios es una forma común de emigración de las mujeres por razones económicas, pero no es un medio seguro y acarrea frecuentemente consecuencias devastadoras. En un intento de impedir que las mujeres sean traficadas a países vecinos, el régimen militar creó una ley prohibiendo a las mujeres entre 16 y 25 años cruzar la frontera a menos que estén acompañadas por guardianes legales. El régimen alega que esta ley es para proteger a las mujeres, pero en realidad sólo las hace más dependientes de los traficantes para que las hagan pasar los puestos de control y las hace más vulnerables a la explotación.

SEIS MUJERES DESPLAZADAS FUERON VIOLADAS Y ASESINADAS POR UN GRUPO EN KUN-HING

A fines de mayo del 2000, 6 mujeres desplazadas, que se ganaban la vida comerciando con artículos menores en las áreas del municipio de Kun-Hing, fueron violadas y luego asesinadas a tiros por tropas del SPDC del IB246, comandadas por el Capitán Aung Htay, cerca del camino Kun-Hing-Murng-Paeng entre la aldea de reasentamiento de Ka Li y el pueblo de Kun-Hing, municipio de Kun-Hing.

Las mujeres iban del sitio de reasentamiento de Ka Li hacia el pueblo de Kun-Hing para comprar sus artículos y llevaban dinero por valor de 3.000-5.000 kyat cada una. En el camino, se encontraron con una columna de 70-80 efectivos de tropas del SPDC de IB246, comandadas por el Cap. Aung Htay, quienes las detuvieron y las llevaron a alguna distancia del camino y les robaron todo su dinero.

Después de robarles, el Cap. Aung Htay violó a una de ellas y le dijo a la tropa que violaran a todas las otras. Después de la violación grupal, el Cap. Aung Htay ordenó a su tropa que sentaran a todas las mujeres en un grupo y las mataran a tiros.

Extraído de Shan Human Rigths Foundation (SHRF), Monthly Report, junio del 2000.

Trabajos forzados

En áreas de conflicto, el trabajo forzado es frecuentemente acompañado de extrema violencia y provoca escasez de alimentos al socavar la capacidad de la familia para cultivar sus propios alimentos o dedicarse al trabajo asalariado para comprarlos. Las mujeres son conscriptas para el trabajo forzado o tienen que mantener a la familia mientras que el marido está realizando trabajos forzados. En muchos casos, los hombres huyen de la aldea para evitar las órdenes de trabajo forzado, pero entonces las mujeres son capturadas en cambio. Los trabajadores forzados son frecuentemente golpeados y las mujeres son también violadas.

Una mujer karenni recordaba que ella y su familia abandonaron la aldea porque no tenían alimentos suficientes. Cuando se le preguntó por qué no tenía alimentos, ella respondió:

"Porque no podíamos trabajar para producir alimentos. Aunque hubo menos lluvia, si no hubiéramos tenido que hacer trabajos forzados podríamos haber trabajado y producido alimentos suficientes para vivir. También les teníamos que dar 50 kyat por semana para trabajar en sus huertas (parcelas de tierra adjudicadas por el ejército) donde podíamos quedarnos con nuestras familias. Si los birmanos nos necesitaban mientras que estábamos cultivando, le decían al jefe de la aldea y él nos ordenaba regresar. El dinero por la huerta ya estaba pago y no se nos devolvió. Perdimos esos días (de cultivo que ya habían pagado)".

El trabajo forzado está muy difundido e impacta a comunidades enteras. En casos extremos, toda una aldea puede ser llamada a trabajar. El 15 de enero de 1999, por ejemplo, el jefe de una aldea recibió una reprimenda por no suministrar trabajadores al ejército. Para compensar, *toda* la aldea tuvo que presentarse a las 6 de la mañana para trabajar.

Además de ser una forma severa de opresión económica, el trabajo forzado también es una fuente de terror para las comunidades debido a la violencia que frecuentemente lo acompaña. En entrevistas con personas que han sido sometidas a trabajos forzados, muchos han testimoniado violencia o se han visto sometidos a la misma. Una mujer describió el tratamiento recibido por dos amigas. Ella dijo:

"Los vi golpear a mis amigas. No conozco sus nombres, no nos conocíamos muy bien. Eran de otra aldea y habían venido a vivir con nosotros cuando nos forzaron a reasentarnos. Los soldados les dijeron: 'háganlo bien'. Mis amigas dijeron, 'nunca lo hicimos antes, ¿cómo lo podemos hacer bien?'. Luego las golpearon. Mis amigas eran mujeres del mismo tamaño que yo. Él las golpeó con un palo más grueso que mi dedo grande del pie. Las golpeó demasiadas veces como para que yo pudiera contarlas. Algunas de ellas lloraban."

El Relator Especial de la Comisión de Derechos Humanos de la ONU, Rajsoomer Lallah, también ha documentado violencia contra las mujeres en su informe preliminar a UNGA el año pasado. Cita el caso de una mujer que huyó a Tailandia después de haber sido obligada a trabajar como portadora durante cuatro horas cuando todavía amamantaba a su bebé. También fue golpeada. En otro caso, mujeres de la etnia shan estaban en un grupo de portadores forzados a acarrear pollos y carne seca para una unidad militar de Murngtorng. Los portadores tenían

que dormir en el suelo, atados a un yugo, pero las mujeres fueron mantenidas separadas de los hombres. De noche, sus gritos fueron oídos por un campesino que también formaba parte del grupo de trabajadores. Aunque no se estableció en este caso, no es algo fuera de lo común que las mujeres portadoras sean violadas por los soldados.

Aunque sólo se mencionaron antes unos pocos ejemplos, el trabajo forzado realizado en Birmania está muy extendido, así como la violencia que lo acompaña. El Relator Especial da el ejemplo de la construcción de un templo en Kunhing en 1999 donde se usó a trabajadores forzados. En todo momento, el 10% de la fuerza de trabajo eran trabajadores forzados, incluyendo a niños de 8 a 15 años.

Violencia en la detención

Las mujeres pueden ser detenidas por sus actividades políticas, participación en movimientos étnicos de resistencia o incluso simplemente debido a supuestos vínculos con grupos contrarios al régimen. Cuando las mujeres son detenidas, son sumamente vulnerables a la violación y los malos tratos. La violencia es usada para aterrorizar no sólo a las mujeres y sus comunidades, sino para desmoralizar a los hombres al implicar que no son lo suficientemente fuertes como para proteger a sus propias mujeres.

En una ocasión, en mayo de 1999, cuatro parejas casadas fueron detenidas cuando el capitán de un batallón no reconoció los pases de viaje emitidos por otro batallón. Fueron retenidos durante 3 días y noches, y las mujeres fueron llevadas a otro lugar y violadas todas las noches. Recién fueron liberados cuando sus familiares pagaron 10.000 kyat por pareja. Una mujer karenni relató su detención de 15 días en un campamento militar de la siguiente manera:

"En Baw Ka Hta [campamento del ejército] nos interrogaron y nos acusaron. Dijeron que éramos las esposas e hijas de hombres que viven fuera de la aldea y que nos matarían. Dijeron que la gente de nuestra aldea tiene radios y minas... Dijeron que tenían orden superior de matarnos... Él dijo que si le mentíamos nos mataría, pero si 'les dábamos nuestra carne' nos liberaría con vida... Nos forzó a dormir con él. Pidió amor. Yo le dije, 'Capitán, tengo 51 años. Tengo la misma edad que su madre así que mejor no me mencione esa palabra. También debería recordar que soy cristiana'. Él dijo, 'no sufriré en el Infierno'. ... Me disculpé pero le dije que no me hiciera eso porque soy vieja. Luego él dijo, 'Entonces tengo que matarte, Madre'. Lo dijo despacio, luego me forzó a acostarme y tomar su pene. Yo no me animaba a tocarle el pene, pero me llevó las manos y me forzó a tomarlo... Mientras que hacía esto me amenazaba con una daga, me tocaba con ella mis pechos, cuello y axilas".

Jóvenes mujeres de nacionalidad mon en un campamento de refugiados en la frontera tailando-birmana celebran el Día de la Unión, 1999. Las mujeres lucen "insignias de la flor amarilla", un símbolo usado por muchas mujeres en Birmania para simbolizar su deseo de democracia y derechos humanos. Foto: Altsean-Birmania

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Otros actos de violencia militar

Las mujeres son también víctimas de violencia cuando se encuentran con soldados o cuando las tropas entran a sus aldeas. A fines de octubre de 1999, cuatro mujeres que habían sido forzadas a reasentarse retornaron a sus campos para cosechar su arroz se encontraron con 30 efectivos militares del SPDC y fueron subsiguientemente violadas y asesinadas. El capitán del batallón las acusó de proveer arroz a la resistencia shan. Cuando las tropas retornaron al sitio de reasentamiento, dijeron a las autoridades y líderes comunitarios que habían ido a matar rebeldes pero como todos los hombres habían escapado, sólo pudieron matar a 4 de las esposas. Los habitantes del poblado tuvieron que ir ellos mismos a buscar los cadáveres para determinar las identidades de las mujeres muertas.

SESENTA Y CUATRO SHAN MASACRADOS EN KUN-HING

El 23/5/00, una columna de 90-100 efectivos del SPDC del IB246 comandada por el Cap. Htun Aung apresó y juntó a 64 personas desplazadas, incluyendo hombres, mujeres y niños de todas las edades que residían y trabajan en sus cultivos fuera del pueblo de Kun-Hing y cerca del camino principal, y mataron a tiros a todo el grupo.

El día del incidente, las tropas registraron el área y apresaron a todas las personas que encontraron residiendo en sus campos de cultivo y las reunieron en un lugar entre la aldea mon Saai y el pueblo Kun-Hing, unos 20 metros al sur del camino principal. Había en total 64 hombres, mujeres y niños de todas las edades. Las tropas del SPDC separaron a todos los hombres de las mujeres y los niños y los alinearon, mientras que algunos de ellos mantenían a las mujeres y los niños en un grupo, y mataron a tiros a todos los hombres.

Las mujeres y niños estaban tan aterrorizados por la horrible escena que lloraban y gritaban y trataron de escaparse. Entonces las tropas volvieron sus armas contra ellos y dispararon hasta que todos cayeron muertos, uno encima del otro, en un gran charco de sangre.

Extraído de Shan Human Rights Foundation (SHRF) Monthly Report, junio del 2000.

La más temida de las tropas del régimen en las áreas karen son los *Sa Thon Lon*, las patrullas de Represalia Guerrillera del Buró de Investigaciones Especiales del Directorado de Servicios de Inteligencia de Defensa. Estas patrullas trabajan en grupos pequeños con el propósito explícito de ejecutar a cualquier sospechoso de tener una conexión presente o pasada con la Unión Nacional Karen (KNU) o el Ejército de Liberación Nacional Karen (KNLA).

Las patrullas de Represalia Guerrillera son conocidas por ser especialmente brutales. Si apenas sospechan que alguien es un simpatizante o está involucrado en las actividades de la KNU o KNLA, sus métodos de ejecución son horribles. La gente ha sido apuñalada repetidamente y desmembrada, sin hacerles preguntas.

En un caso, una pareja karen no tenía idea que habían sido elegidos por la patrulla porque el único vínculo que tenían con el KNLA ocurrió años atrás cuando el marido trabajaba como su guía ocasional. El hermano de la esposa describe cómo su hermana casi fue asesinada:

"La capturaron, la ataron con cuerdas y luego golpearon su cabeza hasta partírsela. Su esposo huyó y le dispararon mientras que corría, pero no resultó herido. Luego trataron de terminar de matarla. La estaban matando a golpes con una culata de rifle, pero no moría, entonces la tajaron con un cuchillo. Le cortaron las orejas. Había un par de anillos ornamentales que valían más de 10.000 kyat en sus orejas. Tajaron su mentón y su cara y la abandonaron a la muerte pero, sin embargo, no murió".

Más tarde, su hermano la llevó secretamente a un hospital donde el médico la pudo tratar. Perdió sus orejas, pero su boca pudo ser cosida. Cuando la patrulla se enteró de esto, uno de los miembros fue al hospital y amenazó con matarla tan pronto como saliera del hospital.

ALDEANOS HUYEN DEBIDO A QUE LAS TROPAS DEL SPDC REANUDAN EL INCENDIO Y MINADO DE ALDEAS

Los aldeanos del municipio de Dweh Loh, al sudoeste del pueblo de Papun, han comenzado a huir del área en grandes cantidades después de que tropas del SPDC incendiaron y minaron al menos 9 de sus aldeas en marzo del 2000, al mismo tiempo que aldeanos de toda la región han estado huyendo en cantidades debido al incremento de la militarización del SPDC y de los trabajos forzados.

Los aldeanos de las 9 aldeas incendiadas en las elevaciones sobre el destacamento de Meh Way relataron al KHRG que columnas del SPDC entraron a su área en el momento de la cosecha en noviembre de 1999, causando que todos ellos huyeran a esconderse en los bosques para evitar los trabajos forzados y el reasentamiento. Aunque hacían escapadas de sus escondites cuando podían, para tratar de recuperar arroz y pertenencias y salvar algo de la cosecha de sus arrozales, las columnas del SPDC comenzaron a colocar minas en las sendas en torno a sus aldeas...

La gente de otras aldeas del municipio de Dweh Loh también está huyendo, diciendo al KHRG que no pueden soportar la creciente carga de trabajos forzados exigida por los campamentos del SPDC, para construir barracas y cercas, construir y mantener caminos, cortar y transportar bambú y leña, hacer de centinelas a lo largo de caminos para vehículos y hacer de portadores.

Extraído de Karen Human Rights Group Information Update: abril 25, 2000/ KHRG #2000-U1.

Consecuencias de denunciar violencia sexual perpetrada por el personal militar

En general, los sobrevivientes de violencia sexual se enfrentan no sólo a los impactos físicos de la violencia sino que también son estigmatizados por sus experiencias. En los casos en los cuales las mujeres tienen el coraje de hablar y presentar demandas contra perpetradores que son personal militar, a veces se le entrega a la familia una pequeña cantidad de dinero para "compensar". Sin embargo, más frecuentemente, los perpetradores no sufren ninguna consecuencia y aquellos que denuncian los crímenes son hostigados.

En un caso de junio de 1999, cuatro mujeres fueron violadas después de un interrogatorio sobre sus vinculaciones con las fuerzas de resistencia shan. El padre de la víctima más joven se quejó ante el jefe y miembros del Comité Aldeano, entonces todos fueron al batallón y presentaron una queja al Comandante. El Comandante alineó a 70 soldados y dijo a la joven que identificara a su violador. Sin embargo, el hombre había abandonado la fila a propósito y, por lo tanto, no pudo ser identificado.

El jefe y los miembros del Comité Aldeano fueron entonces acusados de difamar al ejército y fueron detenidos en la prisión de la base militar. Esto no fue todo. El día siguiente, el jefe fue golpeado hasta perder la consciencia y se ordenó a las familias pagar 2.000 kyat cada una para la liberación de los detenidos. Luego las cuatro mujeres que habían sido violadas fueron también multadas con 500 kyat cada una.

Casamientos forzados

El casamiento es a veces impuesto a las mujeres, especialmente en áreas de conflicto, cuando a un oficial birmano le agrada una joven o mujer local y la exige en matrimonio. A veces, la familia o comunidad de la mujer la alienta a casarse si tienen miedo de las repercusiones de su negativa. Otras veces protestan, pero las mujeres son llevadas por el ejército y son forzadas a casarse. En otros casos, los líderes aldeanos tratan de arreglar el casamiento entre una mujer y un hombre que la ha violado en un intento de "normalizar" la situación. En una comunidad, la situación fue explicada de la siguiente forma:

"A ellos les gusta casarse con mujeres demasiado jóvenes. Un soldado quería tomar como esposa a una niña kayah de 12 años llamada C-. La gente les dijo que la niña era demasiado joven y que no la tomara pero su comandante forzó a la gente a entregarla a su soldado. La niña tuvo que aceptar aunque no quería. Otra niña, L-, estaba estudiando en 8º grado y tuvo que abandonar los estudios [para casarse con un soldado]. Tenía 14 años. Una joven de 18 años llamada H- también tuvo que casarse con un soldado. Ellas no querían casarse con los soldados pero el comandante dijo que tenían que casarse con sus soldados, así que tuvieron que hacerlo. Eso fue el año pasado. Una de las niñas está por tener un hijo. Sus padres no están muy contentos con esto".

Otros han atestiguado que existe una política de alentar a los soldados para que se casen con mujeres de nacionalidad étnica. Se les promete recompensas pecuniarias o promociones, la escala de las cuales depende de la educación y rango social de la mujer. Esto es importante por dos razones. Una es que debido a que la etnicidad del niño es por lo general determinada por la de sus padres, el casamiento entre soldados birmanos y mujeres de nacionalidad étnica contribuye al programa del ejército de "birmanización" de las regiones étnicas. También es importante el hecho de que debido a que los soldados están en procura de matrimonio para su promoción o ganancia, los matrimonios terminan cuando las tropas son rotadas fuera del área. Las mujeres quedan entonces abandonadas con niños y sin compensación de los padres.

Una razón de esperanza

A pesar de la extrema opresión a la que están sometidos los grupos indígenas de Birmania, existe todavía una razón de esperanza. El creciente compromiso de los muchos grupos étnicos con los derechos humanos y el proceso democrático tiene implicaciones positivas para el futuro de estas comunidades. Así sucede también con la creciente capacidad de los grupos para negociar entre ellos.

Las comunidades locales han encontrado formas de continuar su resistencia contra el SPDC, generalmente de manera no violenta. Su capacidad para documentar los abusos y contrabandear tal información a los grupos de exilados es una de tales formas.

Un desarrollo clave de las mujeres étnicas es su creciente capacidad para hablar por sí mismas a la comunidad internacional. En enero del 2000, un comité de organizaciones de mujeres refugiadas presentó un informe paralelo en la 22ª sesión del Comité para la Eliminación de Todas las Formas de Discriminación Contra las Mujeres, para contrarrestar la afirmación de la junta de que las mujeres gozan totalmente de igualdad en Birmania. Tales esfuerzos deberían ser ampliamente apoyados y amplificados. *"Mientras que el SPDC se niegue a reconocer la guerra civil y los derechos de las nacionalidades étnicas, la situación de las mujeres en Birmania continuará deteriorándose"* – Birmania: El estado actual de las mujeres, informe paralelo a la 22ª sesión de Cedaw.

Muchas partes de este artículo son extraídas de Women's Report Card on Burma (Ficha de Informe sobre las Mujeres de Birmania), abril del 2000, Altsean-Birmania. Muchas gracias a Madoka Chase por su excelente investigación.

Debbie Stothard *es Coordinadora de Altsean-Birmania (Red Alternativa de Asean sobre Birmania). Es una red de organizaciones activistas de los estados miembros de Asean que apoya los derechos humanos y la democracia, en particular en Birmania y en el Sudeste de Asia en general. Debbie Stothard es malaya y reside en Tailandia. Ha estado trabajando con cuestiones relativas a Birmania durante 12 años.* ❑

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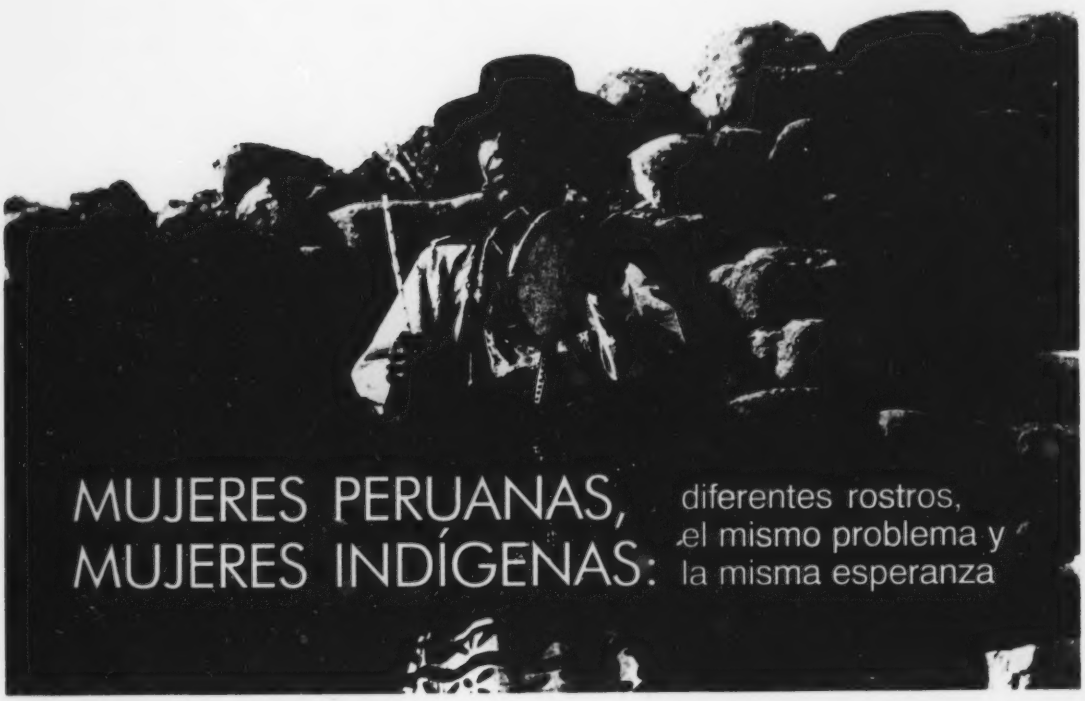
Por Tarcila Rivera Zea

Durante mis casi 50 años de vida, he venido preguntándome quiénes somos los quechuahablantes, quiénes y qué somos los provincianos o indígenas migrantes en la capital. Con el correr del tiempo, mis años y mi experiencia he seguido preguntándome; quiénes somos los peruanos dentro y fuera del Perú, qué nos une, cuál es el punto común en el que nos encontramos los/las indígenas, los criollos/as, los negros/as, chinos/as, niseis y los que se llaman blancos, clase media, profesionales, obreros o los ricos peruanos.

Entonces me miro a mí misma y miro a mis hermanas quechuahablantes, a mis hermanas *aymarás* y a las más de 60 diferentes nacionalidades indígenas amazónicas, a las *mayas* de Guatemala, a las *mixtecas* de México, las *cree* de Canadá, a las *navajo* de Norteamérica, a las *inuit* de Groenlandia o Canadá, a las *maasai* de África, a las nacionalidades indígenas de la India, a las Filipinas, a las de Hawai, por mencionar algunas y me veo reflejada en cada una de ellas.



MUJERES PERUANAS, MUJERES INDÍGENAS:

diferentes rostros, el mismo problema y la misma esperanza

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Mujeres indígenas del Altiplano, Perú. Foto: Diana Vinding

Cuando 20 años atrás, se hablaba del indígena, corríamos el riesgo de ser señalados de pertenecer a la CIA o de «bailar la danza del buen salvaje», de resentidos sociales, frustrados o acomplejados.

En estos últimos 20 años, hemos avanzado en autoreconocernos como pueblos y culturas indígenas con derechos y obligaciones que ejercer y respetar; con territorio y tierra que defender, con conocimientos, tecnología y recursos que compartir y reconocer. Sabernos descendientes de civilizaciones que desarrollaron la ingeniería hidráulica, el manejo de los pisos ecológicos para producir alimentos, que cuidamos los bosques durante milenios, las plantas medicinales y los animales, usando sólo lo que era necesario para nuestra subsistencia.

Hemos llegado a las Naciones Unidas donde hemos pedido que no se nos denomine tribus, minorías, ni grupos étnicos sino **pueblos y culturas**.

Hemos logrado el Convenio 169 de la OIT, que reconoce derechos a los pueblos indígenas, y Perú ya es signatario de este Convenio. *La Declaración de Derechos de los Pueblos Indígenas*, trabajada durante más de 10 años con participación indígena en la ONU, ya está en la Subcomisión de Derechos Humanos, se logró la declaración del *Decenio de los Pueblos Indígenas de las Naciones Unidas* que termina en el 2004. Se está trabajando en la creación de un *Foro Permanente para Pueblos Indígenas* en el sistema de las Naciones Unidas, así como en los proyectos de *Derechos de Propiedad Intelectual* y el *Conocimiento Tradicional de los Pueblos Indígenas*. También está en marcha la Declaración Americana de los Derechos de los Pueblos Indígenas. Son instrumentos internacionales que legitimarán derechos de más de 50 millones de originarios de las Américas.

En el Perú, los pueblos y culturas indígenas, según el censo oficial del año 1993, somos el 42% de una población nacional de 22 millones. Los *quechuas*, *aymarás* y los más de 60 diferentes pueblos amazónicos consideramos que somos el 60% de la población ya que el censo responde sólo a los que están en las comunidades, pero también son indígenas nuestros/as los hermanos/as migrantes que están en los barrios urbanos marginales en las fábricas como obreros y en el sector de la economía informal urbana y aquellos/as que salen del país en busca de oportunidades y son mano de obra no calificada en cualquier país extranjero.

Las mujeres en el Perú

Según los censos oficiales de 1993, el 50,39% de la población nacional está constituido por mujeres, es decir, 11.098.981.

- 7.852.110 mujeres residen en áreas urbanas por la migración o el centralismo, sólo la capital alberga 3.243.782.
- Del 50,7% de pobres que tiene el Perú, el 14,7% está en la extrema pobreza, constituyendo la Sierra y Selva Rural el 36,4% y 32,6% respectivamente.
- La población de extrema pobreza llega a un total de 3.576.227, correspondiendo el 15,6% a los hogares que están bajo la jefatura de mujeres.
- El 23% de las mujeres pobres no tiene ningún nivel educativo y el 42% tiene algo de educación primaria.
- De los niveles de analfabetismo que aun existe en el Perú, que es de 1.297.168, el 73% del analfabetismo nacional corresponde a las mujeres. En Ayacucho, de donde yo vengo, hay *68.749 mujeres analfabetas*.
- La tasa de mortandad materna de mujeres sin educación es de 489 muertes por cada 100 mil nacimientos[1]

Composición

Esta población femenina está compuesta por mujeres mestizas pobres, negras y en su mayoría provincianas indígenas y no indígenas quienes migran en busca de mejores condiciones, primero para ellas y luego con el sueño de la educación para los hijos. Están en los barrios populares, están en las organizaciones de supervivencia, están en los mercados, están en las calles como vendedoras ambulantes, en las pocas fábricas que existen, en los servicios como el comercio, los restaurantes, los expendios de gasolina, etc.

En los últimos 10 años el Perú ha exportado mano de obra barata de mujeres pobres y profesionales desocupa-

das para el servicio doméstico en Italia, España, Argentina, Chile y EE.UU. debido a la oportunidad ocupacional casi nula en el Perú.

¿Cuál es el denominador común entre las mujeres peruanas?

Ser pobre y ser mujer: A pesar de los esfuerzos personales de la gran cantidad de mujeres que luchan para adquirir algún nivel de educación, capacitación o formación, las oportunidades son pocas debido a la desocupación que existe en el país, además de las exclusiones por discriminación como género y etnia, y por la falta de calificación profesional.

Ha habido un gran avance en estos últimos 10 años en la difusión de los derechos humanos fundamentales y de las leyes que defienden los derechos de las mujeres, además del fortalecimiento de organizaciones de mujeres que tienen propuestas para un desarrollo socioeconómico con alternativas apropiadas a su realidad.

El movimiento feminista ha jugado un rol importante, junto con ONGs, organizaciones, sociedad civil, juristas e intelectuales, en el avance de reivindicaciones, buscando espacios de participación, influyendo en la formulación de políticas, leyes, visualización de problemas y búsqueda de alternativas que mejoren la condición de las mujeres peruanas en general, constituyéndose todo esto en avances significativos.

Mujer shipibo, Perú. Foto: Diana Vinding

Mujeres indígenas

En este contexto, las mujeres indígenas, no hemos aún logrado ser reconocidas ni respetadas como corresponde en tanto género, etnia y cultura.

En nuestras zonas de origen aportamos al sostenimiento del hogar, la familia y la comunidad y somos las responsables de la transmisión cultural, pero aún no tenemos el reconocimiento y respeto que merecemos como mujeres, esposas y personas.

Cuando nuestras abuelas nos dicen que no debemos esperar la voluntad del varón para vestirnos mejor, comer mejor, sentimos que nos transmiten seguridad, independencia y capacidad que usamos en la vida cotidiana, en la vida de pareja; trabajando junto al varón, produciendo y reproduciendo, pero vemos que ese aporte, ese esfuerzo, no es aún reconocido ni respetado en su verdadero sentido.

Ha costado esfuerzo y tiempo entender que no somos la costilla del varón, saber que hubo una Mama Huaco (imagen de mujer guerrera), que tenemos conocimientos para compartir y que no queremos que nuestros padres sigan decidiendo quién será nuestro esposo.

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Participantes en la reunión "Mujeres Indígenas al Borde del Nuevo Milenio: un Grupo de Trabajo Internacional" en Perú, 1999. Tarcila Rivera Zea es la segunda de la derecha. Foto: Diana Vinding

No queremos que nuestros maridos se emborrachen y nos maltraten. Ya no queremos que sólo ellos decidan qué hacer con el dinero fruto de nuestro trabajo.

No queremos que sólo los varones vayan al colegio, dejando a la niña en el quehacer doméstico. Ya no queremos «todos los hijos que Dios nos mande». Ya sabemos que las enfermedades conocidas como incurables en la comunidad no todas son brujería.

No queremos hacer grandes esfuerzos para educar a nuestros hijos y para que no encuentren trabajo, o los productos del campo, fruto del esfuerzo común no tengan mercado.

No queremos que nuestras hijas, sólo sirvan para ser empleadas domésticas o desocupadas, como tampoco queremos que vuelvan de la capital avergonzándose de nosotras, de nuestras trenzas.

No queremos que nuestros hijos/as que crecen en los barrios populares se vuelvan pandilleros, chicheros, o delincuentes porque no son aceptados, porque no tienen oportunidades o porque son marginados.

Queremos que: se reconozca que somos mujeres, quechuas, aymarás y amazónicas con conocimientos, capacidades y aspiraciones. Hemos aprendido que el hablar mal el castellano, no debe ser motivo de burla ni menosprecio. Hemos sabido cuidar la gran variedad de semillas para nuestra alimentación, conocemos qué plantas son buenas para la salud, hemos sabido hacer nuestros trajes, desde sembrar el algodón hasta confeccionarlos con nuestras manos.

Hemos aprendido que todo lo que tenemos como historia, conocimientos, recursos y valores son buenos para todos los humanos.

Como mujeres indígenas hemos avanzado juntándonos con otras mujeres de otros países y hemos comprobado que podemos también hacer fuerza común para defender derechos que otras mujeres ya tienen pero a nosotras aun se nos niegan, por desconocimiento nuestro o por ignorancia de los demás.

Desde el año 1994 nos hemos encontrado, andinas y amazónicas, para conocernos y respetarnos como diversidad cultural, haciendo unidad como pueblos, como género y como pobres. Hemos aprendido que no es una condición natural ser discriminada, maltratada, ni marginada.

Nuestro sueño común:

Hemos aprendido que todas las mujeres peruanas, pobres y no pobres, queremos que nos respeten, que nos den espacio para hacer oír nuestras voces, queremos que nos den igual oportunidad para el trabajo, para el salario, para decir lo que queremos ser y hacer.

Todas queremos educarnos, decir yo sé hacer esto o sé leer y escribir. Tener formación para desempeñar cualquier trabajo en cualquier lugar del país. Que se nos oiga cuando opinemos y propongamos algo bueno. Que nuestra ciudadanía no se reduzca al voto electoral sino al ejercicio pleno de derechos como mujeres, indígenas y peruanas.

Nuestro sueño común entre mujeres, entre peruanos/as de todos los rostros, es que la solidaridad, la equidad y la justicia, también crucen los géneros. El sueño común de ser respetadas, queridas, ser elegidas y elegir, comer bien, vestir bien, tener trabajo, no ser violentadas, son sueños comunes a todos los seres humanos y a todas las mujeres.

El sueño, en nuestra especificidad, es que ya no seamos del sector de extrema pobreza, que el analfabetismo desaparezca, que no seamos objeto de burla, mofa o menosprecio por nuestras características culturales, que nuestros hijos/as tengan oportunidad de educación, salud y trabajo.

Encontrémonos, mujeres y hombres indígenas y no-indígenas, para construir un nuevo milenio con equidad, justicia y humanidad. Que nadie se quede atrás, abajo ni al frente.

Lima, octubre de 1999

Note

1 Instituto Nacional de Estadísticas e Información. Censo Nacional de Población de 1993.

Tarcila Rivera Zea *es quechua, Presidenta de Chirapaq, Centro de Culturas Indias. Desde hace más de veinte años dedica todo su tiempo a acciones para la defensa, reconocimiento y valoración de las culturas indígenas del Perú. Ha contribuido con propuestas para el desarrollo de los pueblos indígenas, promoviendo espacios para el avance de las mujeres y niños/as indígenas principalmente del Perú, así como con sus aportes en foros internacionales.* ❑

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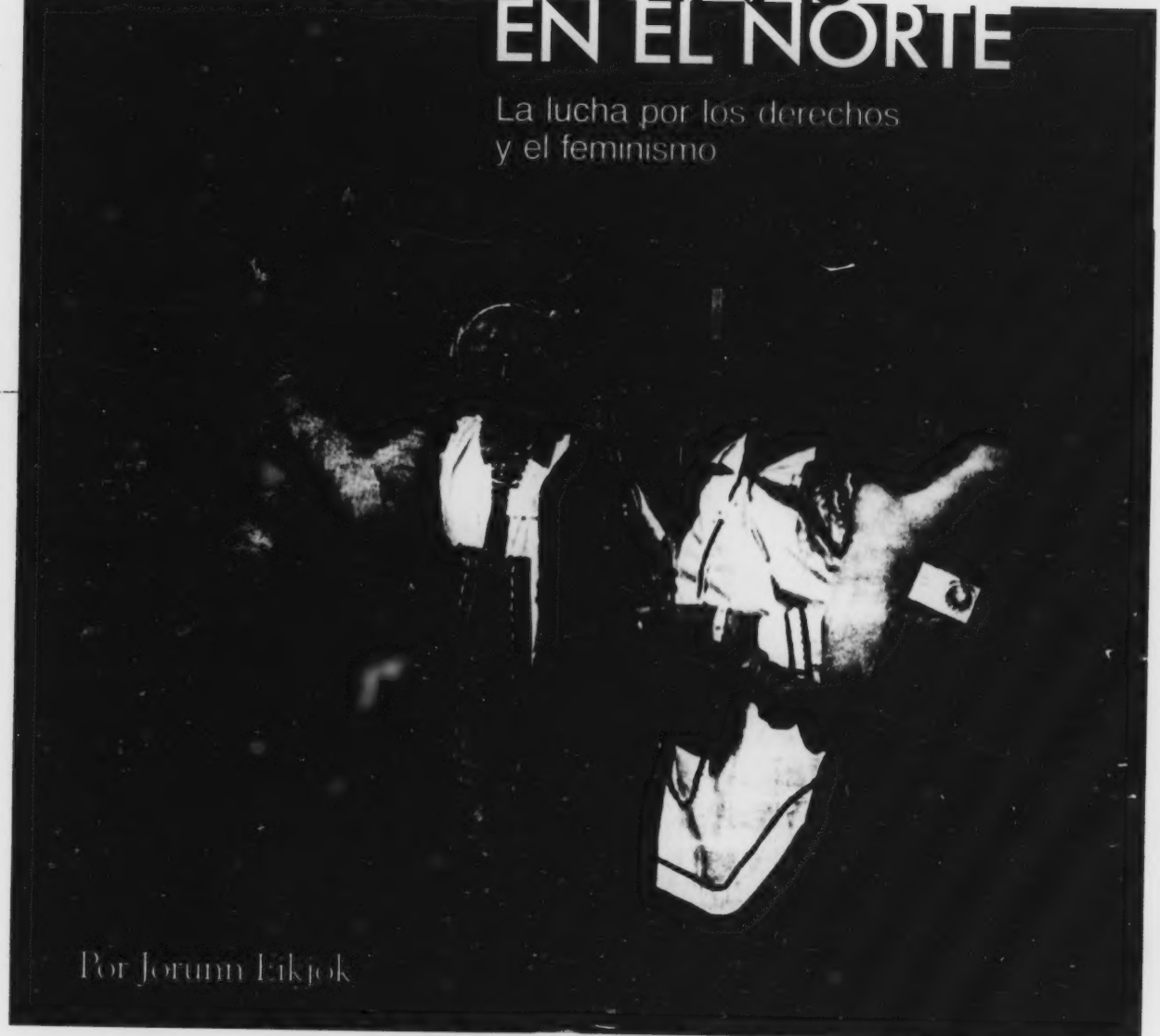
MUJERES INDÍGENAS EN EL NORTE

La lucha por los derechos y el feminismo



Por Jorunn Eikjok

"Hermanas circumpolares" – Mujeres indígenas representantes de diferentes pueblos indígenas del área Circumpolar. Foto: Ola Roee

Hace unos pocos años, estaba sentada hablando con una amiga *sámi*, tomando una cerveza en una taberna de Tromsoe, una ciudad universitaria en el norte de Noruega. Un periodista sámi se nos acercó y preguntó casualmente en qué estábamos ocupadas nosotras las *"medias rojas"* (mujeres activistas del movimiento feminista) en ese momento. A comienzos de los años 90, todavía teníamos la etiqueta de *"medias rojas"*. Parece que este concepto sobrevivió más tiempo en la comunidad sámi que en el resto del Norte. ¿Se debería quizá a que nosotras las *"medias rojas"* sámi estábamos librando tantas batallas al mismo tiempo?

A comienzos de la década del 70, se inició un movimiento activista sámi – el Movimiento CSV. Era similar a muchos movimientos de liberación que había en todo el mundo en ese momento y había muchos activistas jóvenes, tanto mujeres como hombres. Gradualmente, un número de nosotras, las mujeres del CSV, también nos comprometimos en el movimiento de liberación de la mujer. Al mismo tiempo que luchábamos por los derechos de nuestro pueblo, también luchábamos por los derechos de las mujeres. Comparado con nuestros hermanos sámi y nuestras hermanas nórdicas, teníamos entonces una batalla extra para luchar.

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"Todas las mujeres están igualmente oprimidas"

En la década de los 90, participamos en el grupo nacional y nórdico de planificación de una gran conferencia nórdica de las mujeres. Nuestra tarea era definir los temas de las mujeres nórdicas para el próximo milenio. Cuando nosotras, que representábamos a mujeres inmigrantes y mujeres indígenas, nos expresamos sobre *nuestros* problemas y *nuestros* temas, nuestras compañeras, que representaban a las organizaciones de mujeres de la comunidad en su conjunto, lo llamaron política. Si pensábamos que podíamos "introducir cuestiones sobre los inmigrantes" y "discutir política sámi" en este foro ¡habíamos malentendido totalmente todo el caso de las mujeres! Ellas percibieron esto como sumamente provocativo. Teníamos que atenernos a lo que era *común* a todas las mujeres. Los temas concernientes a la etnicidad, la raza y la cultura no eran permitidos en los foros donde se iba a discutir los temas de las mujeres del Norte en el nuevo milenio. De esta manera, se nos impidió expresar nuestras experiencias en este foro común. (Respondimos formando nuestro propio grupo de planificación).

Éramos impopulares entre nuestros hermanos sámi por introducir la causa de las mujeres en la lucha por los derechos de nuestro pueblo. Éramos impopulares entre nuestras hermanas del resto de la comunidad por introducir nuestra identidad étnica y cultural como mujeres. Nuestros hermanos nos ridiculizaban porque el género era irrelevante para ellos; nuestras hermanas nórdicas nos increpaban y nos sermoneaban porque la cuestión de la minoría y de los indígenas era irrelevante para ellas.

La lucha de las mujeres y el movimiento sámi

La lucha de las mujeres trataba de alcanzar la igualdad con los hombres; el movimiento sámi se ocupaba de lograr la igualdad entre nuestro pueblo y la comunidad nórdica en su conjunto. Implicaba luchar contra la opresión de nuestra lengua, cultura, valor humano y dignidad, y crear mejores alternativas para nuestro pueblo. La lucha de las mujeres tenía al hombre como adversario porque desafiábamos los roles de los géneros. La lucha por nuestro pueblo tenía a la totalidad de la comunidad noruega y al estado como adversarios porque cuestionábamos viejos estereotipos y la inferioridad a la cual nos habían relegado. En otras palabras, nosotras las mujeres sámi, teníamos una gran arena para cuestionar y cambiar con el objetivo de crear un espacio razonable y justo para nosotras tanto como sámis y como mujeres. Constantemente teníamos que hacer obvias verdades aceptadas sobre nosotras y redefinirlas, tanto como *pueblo* y como *género*.

Luchamos la batalla sámi con nuestros hermanos. Implicaba crear una unidad común hacia el exterior en relación con nuestras demandas. Nuestras demandas femeninas eran consideradas como un ruido molesto en la voz común. Nuestros hermanos, especialmente aquellos de nuestra generación, consideraban esto como una amenaza. Fuimos ridiculizadas y virtualmente acusadas de ser traidoras en relación con nuestro proyecto conjunto dentro del movimiento sámi.

El movimiento de las mujeres sámi

En nuestro movimiento etno-político sámi, hasta fines de los 80 dijimos que las mujeres sámi no éramos tan oprimidas como nuestras hermanas nórdicas, que en la comunidad sámi las mujeres y los hombres eran iguales. Algunos ámbitos en la comunidad más amplia también adoptaron este entendimiento. Nosotros contamos incluso nuestros "dioses" y "diosas" dentro de la mitología tradicional sámi y descubrimos que había *una* diosa más que dioses. ¡Esto fue interpretado como una confirmación de nuestra igualdad con nuestros hombres! En ese entonces teníamos muy poca comprensión de que esta esfera no tiene significación para el valor de las mujeres en la sociedad cotidiana. Es una idea errónea que en la sociedad indígena, donde la Madre Tierra o diosa es adorada, las mujeres son respetadas en la vida cotidiana.

Los sámis hemos estado rodeados por la comunidad más amplia durante varios cientos de años; siempre hemos tenido que definirnos con relación a la comunidad mayoritaria que nos rodeaba. Una forma de hacerlo era revelando los contrastes entre nosotros y los otros. La mujer sámi entonces se convirtió en uno de los símbolos más fuertes para distinguir entre lo que era sámi y lo que era noruego. En este contexto, la mujer sámi fue definida como una "madre general" o "madre cultural" para nuestro pueblo.

"La fuerte mujer sámi" era también una imagen creada. Sabemos que en todas las sociedades que atraviesan serios cambios hay una tendencia a adjudicar a las mujeres tal valor simbólico. Tiene más que ver con un deseo de cómo la sociedad quiere que la mujer sea, la mujer como símbolo de seguridad, que con la realidad para las mismas mujeres. La retórica que nuestros hombres y la gente de la comunidad más amplia usaron contra nosotras las mujeres feministas sámi, refería a este símbolo y a nuestra supuesta igualdad con los hombres. Es decir, nuestra propia experiencia de nuestra realidad fue repudiada o se hicieron intentos para descalificarla con estos mitos. Las mujeres sámi son, por supuesto, diferentes de las mujeres del resto de la comunidad; esto está más relacionado a las diferentes adaptaciones y condiciones que a nuestras cualidades inherentes como mujeres sámi.

En la comunidad sámi y en muchas otras comunidades se han encontrado –y todavía hay- restos de organizaciones sociales donde había/hay una complementariedad entre mujeres y hombres. Son principalmente comunidades que tenían/todavía tienen una economía natural. Las

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mujeres han tenido un dominio separado de poder. El problema es simplemente que cuando la comunidad cambia, este dominio pierde su estatus.

El movimiento de las mujeres sámi comenzó en 1978. Cuando uno de nuestros seminarios fue anunciado en la Radio Sámi, aquellas que lo apoyaron fueron referidas como "mujeres rebeldes". Demandamos igualdad con nuestros hombres y que nuestra participación en la comunidad fuera valorada. La Organización de Mujeres Sámi Sáráhkká fue organizada en toda Sápmi-Sámiland, es decir, sámis de Noruega, Suecia y Finlandia. En 1991, también fueron incluidas las mujeres sámi de Rusia. En 1993 viajamos a Lujávri/Lowosero, una aldea sámi en Rusia, para celebrar nuestra reunión anual. Esta fue una oportunidad para que los sámis de Rusia hicieran visible su situación. Indudablemente el movimiento de mujeres sámi ha significado mucho para el proceso de democratización de los sámi de Rusia.

Durante los 10-15 años pasados, nosotras, las mujeres sámi, también hemos participado activamente en el movimiento internacional de las mujeres indígenas. También participamos en redes de trabajo de mujeres indígenas de la región circumpolar.

Las mujeres sámi siempre hemos sido muy activas en la lucha por los derechos sámi. De hecho, el primer congreso importante sámi de Noruega, en 1917, fue organizado por una mujer sámi, Elsa Laula Rensberg. La lucha por los derechos sámi culminó con el conflicto de Alta hace 20 años. Las autoridades noruegas planeaban construir una gran represa hidroeléctrica en el corazón de Sámiland. Nosotros, los sámi, perdimos el sistema fluvial pero ganamos el caso. El resultado fue la organización del Sámidiggi (el Parlamento Sámi) en Noruega en 1989.

El cargo de Vicepresidente del Sámidiggi siempre ha sido ocupado por una mujer. La cuestión es: ¿cuándo será Presidente una mujer? Hoy, hay 39 representantes, de los cuales 27 son hombres. Hay solamente 12 representantes mujeres. Durante las pasadas elecciones, las mujeres fueron sistemáticamente no votadas en las listas electorales. Esto significa que las mujeres en nuestra comunidad no gozan de la misma confianza política que la adjudicada a los hombres, no porque sean peores sino por la simple razón de que son *mujeres*. La imagen de nosotras como madres fuertes y culturales no es adecuada cuando vamos a disputar el poder con nuestros hombres. Cuando vamos al grano, ser una madre fuerte y dominante no es una de las cualidades que cuentan en la moderna comunidad sámi. ¿Quizá sea también precisamente esta imagen que impide la participación de las mujeres en política?

Además, ahora sabemos lo suficiente sobre la relación entre la influencia de las mujeres y los hombres a nivel global, que las mujeres pueden ser más que calificadas pero que tienen problemas en llegar a dónde se toman las decisiones porque los hombres no les darán más influencia.

El movimiento de las mujeres sámi se ha ocupado del fortalecimiento de las oportunidades económicas de las mujeres y de su derecho a tener sus propias actividades económicas, así como también luchar por nuestra lengua y cultura. Con el establecimiento de industrias han surgido una serie de cosas positivas con relación a las oportunidades para las mujeres sámi. La razón es en gran medida que el arte y la artesanía sámi han logrado en general un estatus más elevado. Todavía es difícil para las mujeres obtener apoyo para sus propias actividades económicas. Esto está relacionado con el hecho de que aquellos que aportan fondos prefieren ayudar a operaciones en gran escala; su actitud es que las ideas y negocios de las mujeres son demasiado pequeños y, por lo tanto, no merecedores de apoyo. Todavía es difícil para las mujeres obtener ayuda para sus propias actividades económicas.

Los derechos de las mujeres indígenas

Como mujeres, nosotras tenemos menos derechos que los hombres en la comunidad. Como sámis, todos nosotros, tanto mujeres como hombres, tenemos menos derechos que los miembros de la comunidad en general. Cuando se pertenece a una minoría y se es una mujer, esto conlleva sistemáticamente diferentes oportunidades con respecto al poder, los recursos económicos y el conocimiento comparado con los hombres y el resto de la población noruega. Nuestras oportunidades y soluciones como mujeres sámi están asociadas con la tolerancia y derechos generales que la comunidad más amplia está dispuesta a otorgarnos como pueblo. Se trata de lograr derechos colectivos para que exista la autodeterminación de los pueblos indígenas así como también derechos individuales para nosotras como mujeres. No queremos que estos derechos colectivos limiten a los derechos individuales de las mujeres sámi a la igualdad, seguridad y desarrollo.

Nuestra experiencia es que las oportunidades de las mujeres no fueron automáticamente fortalecidas con el establecimiento del Sámidiggi. Para poder fortalecer los derechos y oportunidades de las mujeres indígenas en la sociedad, tiene que haber también una política separada para las mujeres además de una política indígena en nuestro organismo político y administrativo. El hecho de que las mujeres sámi han logrado algunas cosas tiene más que ver con la mejora general de oportunidades para las mujeres en Noruega durante las últimas décadas que porque hayamos obtenido nuestros propios derechos como mujeres sámi.

Cuando los pueblos indígenas obtienen el derecho a la autodeterminación también se fortalece, por supuesto, la situación de las mujeres indígenas. Pero esto no es suficiente. Hasta que nosotras las mujeres indígenas también tengamos nuestros propios derechos como mujeres en nuestra propia comunidad y en la comunidad en general, no podremos decir que nuestro pueblo ha obtenido sus plenos derechos.

Mujeres indígenas y feminismo

Ser una feminista significa ser asociada con mujeres blancas de clase media. El feminismo es concebido como algo muy negativo en el mundo indígena; ha sido reducido a ser *anti-hombres*, como opuesto a ser *pro-mujeres*. Para mí, ser una feminista indígena tiene más que ver con una perspec-

tiva de comprensión y cambio de la sociedad que el considerar al feminismo como una ideología.

En los primeros años, cuando nosotros en Sámiland comenzamos a discutir los derechos de las mujeres, teníamos la actitud de que había que culpar a la comunidad nórdica en su conjunto por el hecho de que las mujeres sámi tuvieran menos derechos que los hombres. En otras palabras, la opresión de las mujeres provenía de afuera. Las mujeres de nuestra comunidad habían tenido una forma de poder. Sin embargo, se relacionaba con el hecho de que hasta los años 60-70, la comunidad sámi todavía tenía el carácter de una economía natural. Nuestra comunidad consistía de familias que en ese entonces eran la unidad económica sustentadora de la comunidad. Las familias eran el dominio de las mujeres y ellas tenían una enorme carga de trabajo y responsabilidad. Cuando la comunidad sámi fue integrada a la economía moderna de mercado, las mujeres perdieron la influencia que tenían. Este cambio socioeconómico condujo a un cambio de los roles de la mujer. Por lo tanto, algunas de nosotras planteamos la cuestión de sí las mujeres sámi realmente habían tenido tanto poder previamente, cómo había sido tan fácil perderlo. ¿Había quizá ya suficientes mecanismos de opresión de las mujeres en la comunidad tradicional y no era solamente la culpa de la comunidad en general?

Mujeres indígenas del área circumpolar. Foto: Ola Roer

Ser una feminista indígena es estar contra el patriarcado, tanto en la comunidad sámi como en el resto del mundo. El patriarcado es un ejercicio de dominación masculina, una actitud básica de que los hombres son más valiosos que las mujeres y, por lo tanto, tienen el derecho a dominar. El patriarcado prevalece en todo el mundo, desafortunadamente también en el mundo indígena. Implica que los hombres son educados para concebir a las mujeres como menos valiosas que ellos. Esta es la razón de que las estrategias de cambio incluyan también cambiar estas actitudes de nuestros hombres. ¿Cómo podemos fortalecer las oportunidades y derechos de las mujeres sin tomar esto en cuenta? El problema es que el patriarcado es una actitud que está tan profundamente arraigada en las culturas que *todos* la llevamos en nuestro subconsciente, tanto hombres como mujeres. Este sistema es opresivo, no sólo para las mujeres indígenas sino también para nuestros hombres y nuestras sociedades indígenas.

El colonialismo es una extensión del patriarcado y su forma de expresión es la explotación de las mujeres, los pueblos indígenas y la naturaleza. El colonialismo conlleva actitudes destructivas que han sido introducidas en nuestra comunidad de diferentes formas. Todos nosotros, tanto mujeres como hombres indígenas, debemos siempre tener en cuenta estos mecanismos negativos dentro de nuestras comunidades y cómo nos caracterizan. Nosotros no podemos ubicar toda la culpa de la opresión de las mujeres indígenas, de nuestras comunidades y de la naturaleza en la comunidad más amplia y los sistemas externos. Nosotros debemos asumir la responsabilidad de asegurar los derechos humanos para nuestro pueblo, tanto como individuos y como grupos.

Por lo tanto, al discutir proyectos de autogobierno para los pueblos indígenas, debemos evaluar cuidadosamente en *cuáles* de nuestras tradiciones vale la pena basar nuestras comunidades. Aquellas prácticas y costumbres nuestras que roban el valor y la dignidad humana y la oportunidad de ser una persona completa y valiosa, incluyendo a los grupos opresores de nuestra comunidad, deberían ser arrojadas al basurero de la historia. Tales tradiciones no son dignas, aunque las hayamos heredado de nuestros antepasados y antepasadas. Ocupémonos en cambio de nuestras comunidades, basadas en todas las costumbres universales y humanísticas y el conocimiento que heredamos, y démosles nueva forma.

Debemos ser lo suficiente valientes para encarar esta discusión; no es ciertamente una discusión fácil. A aquellos que se atreven a desafiar las verdades aceptadas, particularmente nosotras, las mujeres indígenas, generalmente se les pone una etiqueta negativa y pueden experimentar la sanción de nuestro propio pueblo. Es muy doloroso para aquellos que lo experimentan. También está asociado con el hecho de que nosotros, los pueblos indígenas, nos vemos forzados con demasiada frecuencia a dirigirnos a la comunidad en general con una voz común. Por eso es que las luchas de las mujeres por sus derechos es frecuentemente irritante en esta voz uniforme. Esto limita el derecho a la diversidad y el derecho a experiencias diversas en nuestras discusiones públicas.

Mi ambición, como activista indígena y feminista, es trabajar junto con otros pueblos indígenas en todo tipo de iniciativas que impliquen el fortalecimiento del valor humano y la dignidad en nuestra comunidad. Implicará luchar contra el patriarcado y el colonialismo, pero por sobre todas las cosas implicará inspirarse y fortalecerse mutuamente en la creación de sistemas de autogobierno basados en el poder de nuestras experiencias indígenas y en los valores de nuestras culturas que resistan la luz del futuro.

Jorunn Eikjok es una sámi de Noruega. Ha trabajo como maestra y periodista "freelance" en los medios de difusión sámi. Vivió en Groenlandia durante dos años y tiene un hijo inuit. Jorunn estudió antropología social y trabaja con el desarrollo del conocimiento y proyectos de desarrollo en la comunidad sámi. Es dirigente de la Red de Mujeres Indígenas Árticas y es miembro de la Junta Directiva de la Red Internacional de Mujeres Indígenas.

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LAS MUJERES INDÍGENAS AFRICANAS EN EL SIGLO XXI

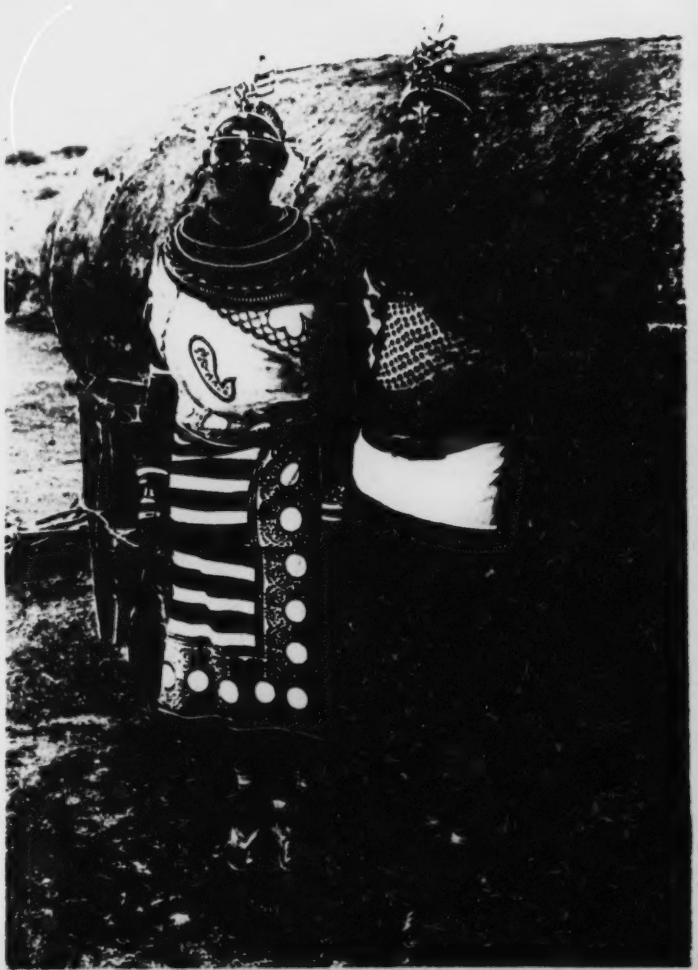
Por Lucy Mulenkei

Mientras que las campanas tañían y los brindis sonaban ruidosamente, la gente salió corriendo a mirar el cielo para ver un nuevo amanecer de un siglo largamente esperado. En sus pequeñas chozas, las mujeres indígenas africanas no tenían nada de que qué alegrarse en la noche espesa y silenciosa.

A pesar de estar a fines de un siglo en el cual las mujeres de otras partes del mundo han dado importantes pasos en la promoción de sus posiciones, las mujeres indígenas africanas continúan quedándose atrás en el desarrollo.

Los principales problemas de las mujeres indígenas africanas son la marginación y la discriminación. A la mujer indígena africana no se le dio la oportunidad de tomar ninguna decisión sobre temas que afectan su vida. Esto abarca desde la salud, la educación y la toma de decisiones hasta el derecho a la propiedad y los derechos legales.

Créase o no, entre los *somalíes*: *"Es malo para los hombres viajar en un automóvil con una mujer. Se debe agregar una piedra para que absorba la mala suerte"*. Existe una falta de reconocimiento de los diferentes roles que ella juega en la sociedad. Las capacidades de liderazgo de una mujer indígena africana no son reconocidas. En las comunidades indígenas no puede detentar un cargo administrativo como jefe, a pesar de que es un nombramiento del gobierno. Una mujer es considerada como alguien que no puede dirigirse a una *baraza* (conferencia aldeana) a la cual usualmente asisten sólo hombres.



Violencia y falta de habilitación económica

La violencia es un fenómeno común y la mayoría de las mujeres indígenas se han convencido de que es parte de su vida. Aparte de la violencia doméstica donde el marido le pega a la mujer en nombre de la disciplina, existen también guerras entre clanes que han afectado su situación de seguridad. La presión sobre los recursos como la disminución de las tierras de pasturas y la presión poblacional ha conducido a un incremento de las luchas entre comunidades vecinas. Las mujeres son las que terminan sufriendo más cuando se encuentran atrapadas en

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estas circunstancias. Durante las luchas e incursiones de abigeato, las mujeres son frecuentemente violadas, sus maridos asesinados, dejándolas viudas con niños huérfanos.

La reciente sequía en la mayor parte de África, especialmente en Kenia, Somalia y Etiopía, ha dejado a las mujeres indígenas en terribles condiciones. Habiendo perdido su ganado debido a la sequía, muchas mujeres como las de las partes septentrionales de Kenia están emigrando a los centros urbanos. Aquí deambulan con sus niños porque los hombres han llevado los pocos animales que quedaban a países vecinos en busca de agua y pasturas. Sufriendo por la falta de alimentos y la consecuente incapacidad de obtener una dieta balanceada, las mujeres y sus hijos sufren problemas de salud y de desnutrición. Por ejemplo, en el noreste de Kenia, en un pueblo llamado Wajir, unas 1.500 mujeres somalíes se trasladaron al centro del pueblo. La mayoría de ellas tienen mas de seis hijos y la situación es empeorada por el hecho de que el hospedaje también es escaso.

Les es difícil poder pagar la educación de sus hijos a pesar de que tratan de efectuar algo de comercio, el cual sólo les permite conseguir un poco de comida. Existe el temor de que pronto algunas de estas mujeres se vuelquen a la prostitución. Esta ha sido frecuentemente la alternativa para las mujeres en tales situaciones.

Las mujeres indígenas carecen también de capacidad económica debido a la falta de recursos. Las organizaciones de ayuda evitan financiar proyectos en áreas pastoras citando "riesgos de seguridad" como impedimento. Las áreas fácilmente accesibles son susceptibles de los ataques del bandolerismo y las organizaciones de ayuda no aceptarán fácilmente ir a esas áreas debido al temor de ser atacados en las carreteras.

Idealmente, lo que las mujeres indígenas necesitan es capacitación en el manejo de sus propios recursos. Intentar obtener financiamiento para actividades de las mujeres indígenas es una lucha cuesta arriba y se ven obligadas a buscar colaboradores fuera del continente africano, los cuales parecen comprender mejor la situación. Las mujeres indígenas de toda África enfrentan este problema. Les es difícil juntar fondos porque los colaboradores prefieren financiar a grupos feministas existentes que ya tienen un nombre y se han establecido.

Algo importante de destacar es que las mujeres indígenas africanas tienen la fuerza pero carecen de la capacitación. *"Tenemos la fuerza y la voluntad pero no tenemos la capacidad"*, dice Amina Mahadi Noor, presidente de la junta directiva de *Kulmiarwa Wajir*.

La capacitación en aspectos como liderazgo, cabildeo o trabajos de "lobby", abogacía y manejo de proyectos pueden llevar largo tiempo en realizarse. Las mujeres necesitan participar activamente en la toma de decisiones y se les debe permitir oportunidades en el ámbito social, económico y político.

Primero las mujeres indígenas africanas deben tener una estructura, de la cual carecen ahora. El organismo tiene que ser legalmente reconocido y coordinado por las mismas mujeres indígenas. Con una entidad legal, la organización puede estar capacitada para procurar fondos y organizar efectivamente sus actividades.

Las muchas cuestiones mencionadas necesitan una coordinación colectiva para hacer posible el cambio. Los temas como los derechos a la tierra no pueden ser tratados fácilmente por un individuo. Este es un tema que afecta a todas las mujeres indígenas de África que no tienen ningún derecho a la tierra o a la propiedad. Incluso si se es soltera, viuda o divorciada, toda la propiedad pertenece a un miembro masculino de la familia.

Sin embargo, es positivo destacar que a pesar de todos los problemas generales mencionados, ha comenzado una nueva jornada. En agosto de 1999, fue celebrada en Nairobi una reunión titulada la *Conferencia de las Mujeres Indígenas de África Oriental*. Después de tres días de deliberaciones, las mujeres indígenas presentaron recomendaciones, que muestran claramente sus requerimientos y la necesidad de seguimiento de cuestiones de interés fundamental, no sólo para ellas sino para todos los pueblos indígenas en general. Una de esas cuestiones, entre otras, es el llamado a que los gobiernos ratifiquen el Convenio 169 de la OIT. Tenemos la esperanza que con la ayuda de los gobiernos y las organizaciones internacionales amigas de los pueblos indígenas y sus organizaciones y redes, se puedan implementar las recomendaciones.

Recomendaciones de la conferencia

Las siguientes son recomendaciones de la conferencia:

1. En vez de esperar el menguante apoyo externo, las mujeres indígenas deberían promoverse mutuamente a través de sistemas básicos (recolección de fondos). Esto les debería permitir comenzar actividades generadoras de ingreso. P. ej., alfarería, preparación de hierbas medicinales, confección de ornamentos y abalorios, etc. Se debería dar prioridad a los proyectos viables que pueden ser fácilmente adoptados por las mujeres.

   Existe una necesidad de promover el trueque entre los pueblos indígenas en diferentes áreas y países. Por ejemplo, las cestas *turkanas* pueden ser intercambiadas por abalorios *maasai* del mismo valor mediante el trueque.

2. La falta de transporte o su insuficiencia ha afectado seriamente a las mujeres indígenas. Como las mujeres indígenas están en las áreas más marginadas, se enfrentan a dificultades con el transporte. Caminan lar-

Mujeres samburu, Kenya
Foto: Diana Vinding

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gas distancias para llegar a los trapiches o a los centros de salud. También caminan largas distancias con pesadas cargas de leña y agua.

La carga del transporte debería ser reducida mediante intervenciones claves de acceso como la mejora de caminos y sendas, el mantenimiento de las condiciones de los caminos y el desarrollo de formas de transporte intermediario de bajo costo, p. ej., carros de tiro, bicicletas, etc. Esto debería asegurar la accesibilidad a bienes y servicios / facilidades socioeconómicas, p. ej., escuelas, instituciones sanitarias, etc.

3. El Convenio 169 de la OIT debería ser traducido a las lenguas locales para que los pueblos indígenas lo pudieran comprender plenamente. El Proyecto de la OIT por los Derechos de los Pueblos Indígenas y Tribales debería continuar y trabajar estrechamente con los pueblos indígenas de África para asegurar que las recomendaciones sean implementadas. El Proyecto de la OIT por los Derechos de los Pueblos Indígenas y Tribales y la Organización de Mujeres Indígenas Africanas (AIWO) deberían seguir trabajando juntos y hacer seguimientos de la conferencia a nivel nacional para permitir la participación de más mujeres indígenas.

4. Todas las comunidades deberían ser alentadas a proteger y salvaguardar su biodiversidad y su medicina tradicional para el uso futuro. Las mujeres indígenas, que son educadoras y las principales usuarias del conocimiento indígena, deberían educar, sensibilizar y alentar a las comunidades a proteger y preservar sus recursos naturales.

5. Se debería presionar a los gobiernos para que establecieran leyes y políticas sobre la tierra que respeten y protejan la tierra que pertenece a los pueblos indígenas, que les den acceso libre al uso de los recursos naturales y los proteja de efectos externos (p. ej., explotación por personas externas y desastres naturales).

6. Promover la educación de las niñas; es necesario establecer observadores para ellas en las aldeas – para identificar las causas, efectos y soluciones de los diversos problemas educativos que enfrentan. Este monitoreo de la educación debería tener como objetivo tanto a varones como niñas para minimizar la discriminación de los menores. Es necesario educar a las niñas hasta los niveles más altos posibles ya que son las futuras madres.

7. Ya que las mujeres indígenas son víctimas de guerras y conflictos, deberían poder participar en las reuniones de las iniciativas de paz.

8. Existe la necesidad de clases de alfabetización para que las mujeres sepan mantener una contaduría simple. En el programa de educación adulta, los maestros pueden trabajar junto con las comunidades. Un ejemplo el de los *samburu* en Baragoi, en Kenia, donde después de pastorear ovejas van a clase – esto promueve la capacidad de leer y escribir.

9. Es necesario promover la salud organizando seminarios y talleres sobre asuntos relacionados con la salud como el VIH/SIDA, métodos de planificación familiar e introducción de servicios de salud móviles. Los pueblos indígenas no deberían ser usados como conejillos de indias; por lo tanto, el gobierno debería ser responsable de informarlos para evitar riesgos.

10. Las leyes sobre la tierra deberían ser derogadas y las mujeres indígenas deberían participar en el manejo de recursos naturales como la tierra. Para evitar una desenfrenada venta de tierras, es necesario alentar otras actividades generadoras de ingreso. Las mujeres indígenas deberían ser informadas de su derecho a dar su consentimiento en la junta de control de la tierra para su venta. Debería crearse conciencia para asegurar que el derecho consuetudinario sea usado positivamente.

11. Las mujeres indígenas deberían participar en el proceso político, es decir, foros / defensa de la reforma constitucional con el fin de erradicar los obstáculos culturales, legales y políticos para lograr la independencia económica e igualdad ante la ley. Elevar la conciencia pública y dedicarse sistemáticamente a la defensa, sensible y respondiente al género, de la pobreza, la autoridad y la tecnología.

12. Se debería alentar las visitas de intercambio de diferentes organizaciones de mujeres indígenas para que ellas obtengan información de primera mano. Esto debería implicar a grupos de mujeres dentro y fuera de un país dado. Los elaboradores de políticas de desarrollo, los políticos y los diversos participantes del mismo deberían participar en tales visitas para obtener una comprensión de las áreas geográficas y ver las dificultades de las mujeres indígenas rurales.

Las mujeres indígenas africanas acordaron que la Organización de Mujeres Indígenas Africanas (AIWO) debería reforzar la solidaridad a nivel sub-regional e internacional e instrumentar una política de desarrollo para los pueblos indígenas africanos.

También debería asegurar el desarrollo institucional y organizacional para que la organización pueda ser efectiva en la influencia sobre las políticas y el desarrollo para el beneficio de las mujeres y hombres indígenas africanos.

Las mujeres solicitaron a AIWO organizar la capacitación de las mujeres indígenas en temas sociales y económicos mediante el fortalecimiento de las visitas locales mutuas entre organizaciones indígenas y más tarde visitas externas, nacionales e internacionales.

AIWO debe asistir a inculcar capacidades de liderazgo a las mujeres indígenas africanas y alentar a las organizaciones indígenas a movilizar recursos locales y procurar fondos adicionales de otras organizaciones internacionales.

Se tendría que dar una oportunidad a las mujeres indígenas para ser oídas directamente. Ellas deberían participar en la formulación de políticas locales / nacionales y en la rectificación de instrumentos internacionales. El diálogo con las mujeres y hombres indígenas debería estar basado en el respeto mutuo para asegurar que sus opiniones y aspiraciones sean consideradas en el proceso de toma de decisiones.

Hay necesidad de mecanismos participatorios cuando se deciden temas que afectan a las mujeres indígenas. Es necesario escuchar a los pueblos indígenas y comprender su situación dentro de la sociedad o las comunidades en las cuales viven. Las estructuras sociales no deberían alienar a las mujeres indígenas y sus organizaciones, sino que éstas deberían ser consideradas como partes integrantes. Es necesario sensibilizar a los hombres para obtener algo positivo.

La reunión de Pequín + 5 en Nueva York

Las mujeres indígenas ya se han ubicado en el mapa y un buen ejemplo fue la participación de cuatro mujeres indígenas africanas en la reunión de Pequín + 5 en Nueva York, en junio del 2000. Entre más de 4.000 mujeres reunidas en la ciudad de Nueva York del 1 al 9 de junio del 2000 para una reunión de reflexión sobre Pequín + 5 había 100 mujeres indígenas de diferentes partes del mundo. El Foro Internacional de Mujeres Indígenas se reunió del 1 al 2 de junio, en preparación para la reunión de las Naciones Unidas Pequín + 5.

El principal objetivo del foro de dos días era introducir a las participantes al proceso de Pequín + 5 y vincularlo con otros procesos de las Naciones Unidas en los cuales los pueblos indígenas están involucrados. Fue en este foro que fortalecieron sus redes de trabajo y discutieron temas de gran interes. También fue una ocasión para que las pocas que han seguido de cerca el proceso de Pequín y

otros procesos de la ONU compartieran su conocimiento y experiencias. Las participantes provenían de diversas redes indígenas regionales y nacionales que habían nacido después de la Conferencia de Pequín. La Organización de Mujeres Indígenas Africanas (AIWO) contaba con representantes de los *maasai* de Kenia, *batwa* de Ruanda y *tuareg* de Burkina Faso.

El Foro fue organizado por el Comité Directivo Internacional de las Mujeres Indígenas, que había sido formado en Lima, Perú, en noviembre de 1999 y que es coordinado por la Asamblea de Primeras Naciones. Estaba patrocinado por la Agencia Canadiense para el Desarrollo (CIDA), el Grupo Internacional de Trabajo sobre Asuntos Indígenas (IWGIA), el Departamento de Asuntos Indios y Desarrollo del Norte (Canadá), el Centro Internacional por los Derechos Humanos y el Desarrollo Democrático, el Fondo Global para las Mujeres y el Departamento de Relaciones Exteriores y Comercio Internacional, Canadá.

En los primeros lugares de la lista de temas de interés está la globalización y la creciente pobreza de las mujeres indígenas. La liberalización del comercio ha provocado la inundación del mercado con productos agrícolas importados, baratos y altamente subsidiados, de los países ricos. Estos compiten con los cultivos tradicionales, que han sido desarrollados y fomentados por las mujeres indígenas.

La subsistencia sustentable indígena y las granjas y comercios a pequeña escala están deteriorados o destruidos. Por lo tanto, la promesa de que la liberalización traerá el crecimiento económico y disminuirá la pobreza no se ha cumplido en muchas comunidades de pueblos indígenas.

Lucy Mulenkei *es maasai, activista y promotora de las mujeres y trabaja para la Red de Información Indígena (IIN). También es la representante de la Organización de Mujeres Indígenas Africanas por África Oriental y es la representante de igualdad de género por la Red de Defensa de los Pastores del Cuerno de África.* ❑

MADRE DE DIOS: cuando el mosquito pica

Por
Alfredo García
Altamirano

El Perú se encuentra hoy convulsionado por escándalos políticos y diversas protestas populares, tanto en Lima -capital metropolitana- como en el interior del país. En efecto, a raíz de una indiscutible denuncia sobre corrupción de congresistas efectuada por un partido de oposición, el gobierno del Presidente Fujimori recién instalado en julio -para un tercer mandato constitucional consecutivo de cinco años -, enfrenta su más seria crisis política, al punto que el Presidente tuvo que anunciar la disolución del Servicio de Inteligencia Nacional (SIN), la convocatoria a nuevas elecciones y su retiro como candidato a las mismas. El panorama sigue siendo incierto.
La crisis política relevó a segundo plano las protestas populares en diversas regiones del país durante los meses de agosto y septiembre y que en la Amazonía convulsionaron a ciudades como Contamana, Moyobamba, Quillabamba y Puerto Maldonado así como otras localidades en la región de Madre de Dios.

El antecedente más inmediato de la actual protesta en Madre de Dios corresponde a la escasa o nula atención a los acuerdos suscritos entre autoridades políticas y sectoriales regionales y la Federación Nativa del Río Madre de Dios y Afluentes (FENAMAD), luego de una exitosa movilización indígena regional realizada el 18 de julio en Puerto Maldonado. Dicha organización viene demandando el reconocimiento de los derechos indígenas sobre sus territorios, tanto de poblaciones indígenas en aislamiento voluntario (conocidos localmente como "no contactados") como de otras Comunidades Nativas legalmente reconocidas; la inmediata creación de la Reserva Comunal Amarakaeri; la participación de las poblaciones indígenas en la administración y gestión de Áreas Natu-

Foto: Alfredo García Altamirano / FADEMAD - FENAMAD

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rales Protegidas, inclusive la titulación de las CCNN Tayakome y Yomibato dentro del Parque Nacional del Manu y de la CN Isla de los Valles en la Zona Reservada Manu y la suspensión de los derechos mineros de terceras personas dentro de los territorios titulados de comunidades nativas.

Asimismo, los agricultores representados por la Federación Agraria Departamental de Madre de Dios (FADEMAD) han demandado atención a los problemas del sector agropecuario. Igualmente, los pequeños extractores forestales agrupados en la Asociación de Extractores Forestales de Madre de Dios han venido demandando cambios en la política forestal, luego que en la provincia del Tahuamanu -desde fines de 1999- se produjera la intervención del ejército y se paralizará la extracción de madera valiosa (caoba principalmente), decomisándose alrededor de tres millones de pies tablares de caoba, por su ilegal extracción, que beneficiaba a dos grandes compañías exportadoras de madera.

Como la economía de la madera tiene un importante peso económico en la economía regional –además del oro, la castaña y el turismo ecológico- la suspensión de la extracción de caoba afectó a muchos comerciantes, transportistas y otras personas ligadas a la cadena económica en torno a la extracción y comercialización de la madera.

Asimismo, la gestión del desarrollo se ha centralizado fuertemente en la capital. Las dependencias públicas locales no tienen capacidad de decisión sobre diversos problemas sectoriales. Peor aún, la corrupción en la administración pública que vive el país no está tampoco ausente en Madre de Dios.

Todos estos problemas y su falta de atención llevaron a la FADEMAD, FENAMAD y la Asociación de Extractores Forestales, agrupadas en una instancia de coordinación denominada Asamblea Regional de Madre de Dios, a convocar un Paro Regional de 72 horas entre los días 21, 22 y 23 de agosto, siendo las principales reivindicaciones el asfaltado de la carretera Iñapari-Puerto Maldonado-Puente Inambari; la interconexión con la central hidroeléctrica de San Gabán Puno; la derogatoria de la Ley Forestal y de Fauna Silvestre, Ley 27308; la zonificación definitiva de Áreas Naturales Protegidas; el reconocimiento de los territorios tradicionales de los pueblos indígenas; la elección inmediata del Gobierno Regional; el incremento presupuestal de inversiones para el desarrollo y la creación de distrito judicial de Madre de Dios, entre otras.

El paro concluyó sin ningún diálogo con autoridades civiles del más alto nivel del Ejecutivo. Las organizaciones dieron una tregua de 15 días al gobierno para que atendiera sus demandas antes de reiniciar sus medidas de lucha. Entonces una comisión del Ejecutivo conformada por dos ministros visitó Puerto Maldonado, Iberia e Iñapari la última semana de agosto, dialogó con las organizaciones gremiales convocantes del paro y avanzó algunas respuestas parciales. Luego de este primer encuentro, dichas organizaciones decidieron no suscribir un acta de entendimiento dado que *"con excepción del punto sobre la categorización de la Zona Reservada Amarakaeri, titulación de comunidades nativas que se encuentran en Áreas Naturales Protegidas y otros de carácter administrativo, que se dará cumplimiento en el plazo de ley, los demás puntos han sido escuchados pero no atendidos por las citadas autoridades, motivo por el cual subsisten las razones que nos llevaron a decretar el Paro Regional Indefinido"* (Comunicado FADEMAD-FENAMAD 28.08).

Este se concretó entre el 18 y 23 de septiembre. El 22, en Lima tuvo lugar una reunión de trabajo entre el Presidente del Consejo de Ministros, Federico Salas y una comisión inter-gremial de la FADEMAD, FENAMAD, Asociación de Extractores Forestales, Sindicato de Docentes (SUTEP) y Federación de Asentamientos Humanos. Esta vez el Presidente del Consejo se comprometió a visitar Puerto Maldonado en 15 días junto con otros ministros, para examinar directamente la situación aquí. Se anunciaron algunas otras respuestas por lo que las principales organizaciones gremiales regionales suspendieron la medida de lucha hasta conocer los próximos resultados de dicha visita que ocurrirá en el mes de octubre. Mientras tanto, los docentes del SUTEP continúan con su medida de lucha hasta que no logren la destitución de la Directora Departamental de Educación, cuyo estilo de gobierno autoritario ha colmado la paciencia de los docentes de la región.

La protesta regional no ha concluido. En otras regiones del sur del país, la experiencia de Madre de Dios está siendo tomada en cuenta y recibiendo muestras de solidaridad y de respaldo. Las organizaciones gremiales, desde

agosto, dieron forma a una nueva instancia de coordinación, la Asamblea Regional de Madre de Dios.

La experiencia de acción conjunta entre indígenas, agricultores, pequeños extractores forestales y otros sectores populares ha iniciado, al parecer, una nueva etapa del proceso del movimiento social en la región. Como decía un amigo, cuando un mosquito pica no le hacemos caso pero si se juntan pueden lograr mucho.

Reserva territorial para indígenas en aislamiento

La presencia de pueblos indígenas aislados actualmente en el oeste y norte del departamento de Madre de Dios, es no sólo importante sino también delicada, incluso por la incursión de personas foráneas que pueden propagar enfermedades entre los mismos. Dichas poblaciones indígenas se resisten a vincularse con la sociedad nacional debido a experiencias traumáticas de tales vínculos desde tiempos anteriores, como la época del auge cauchero.

Los cursos medios y altos de los ríos de los Amigos, Tacuatimanu o de las Piedras, Tahuamanu, Acre, Chandless y Yacu, en Madre de Dios, son habitados por poblaciones presuntamente de habla *pano* o, tal vez, *arawak*, o de ambas. El 7 de julio pasado, se estableció la Zona Reservada del Alto Purús que comprende solamente en Madre de Dios a una pequeña parte de las cabeceras de los ríos Yacu, Chandless, Acre y de Las Piedras, como una medida de protección para dichas poblaciones que también existen en la cuenca del río Purús, región Ucayali. En Madre de Dios, estas tierras almacenan importantes recursos forestales y están en la mira de importantes grupos empresariales y exportadores de madera.

En el lado brasileño, las áreas habitadas por dichas poblaciones han sido cerradas a la penetración de otras poblaciones (comerciantes, madereros, etc.), por cuenta del organismo FUNAI (Fundación Nacional do Indio), encargado de asuntos indígenas y del ejército brasileño, en salvaguardia de la vida de madereros y otras personas que han ingresado a dichas áreas, dada la respuesta belicosa que los indígenas en aislamiento vienen ofreciendo a cualquier presencia extraña. El área cerrada en el lado brasileño se extiende en secciones atravesadas por los ríos Purús y otros ríos al norte del mismo.

A mediados de julio, mientras en Puerto Maldonado se desarrollaba precisamente la movilización indígena convocada por FENAMAD en demanda de atención a sus problemas de territorialidad indígena –entre otros puntos- en el asentamiento indígena *yiné* "Monte Salvado", ubicado en el río Tacuatimanu o de Las Piedras, distrito de Las Piedras, provincia de Tambopata, a tres días de surcada desde Puerto Maldonado en canoa con motor 55 HP y conformado por migrantes yiné (denominados localmente *piro*) de la Comunidad Nativa Miaría, del río Urubamba, establecidos allí hace varios años y dedicados a la extracción comercial de madera, ocurrió una salida de un numeroso grupo de indígenas en aislamiento.

La "invasión" ocurrida fue temporal y cesó cuando los indígenas en aislamiento lograron aprovisionarse de machetes y ollas, tanto de los que eran propiedad de los comuneros de "Monte Salvado" como de más machetes llevados por el presidente de dicha comunidad –de retorno luego de participar en la movilización indígena en Puerto Maldonado- llevando ayuda recolectada localmente.

Luego, en septiembre, en un sitio no precisado del río Tahuamanu, a 7 días de surcada desde Iberia en canoa con motor de 10HP, el pasado viernes 8, cinco personas, Víctor Urquía Tangoa, Roberto Urquía Tangoa, Mario Ramírez Rabanal y el menor Samuel Peralta Jarama (16) que como otros moradores de Iberia suelen surcar dicho río para pescar, fueron atacados por indígenas en aislamiento. Sólo fue herido en el cuello, de mucha consideración, el menor Samuel, con una flecha con hoja de paca. Fue evacuado desde Iberia a Puerto Maldonado este lunes 11 y se aprestaba a ser llevado a Lima junto con su madre este miércoles 13. La FENAMAD y el CTAR-MDD brindaron ayuda a la familia directamente afectada.

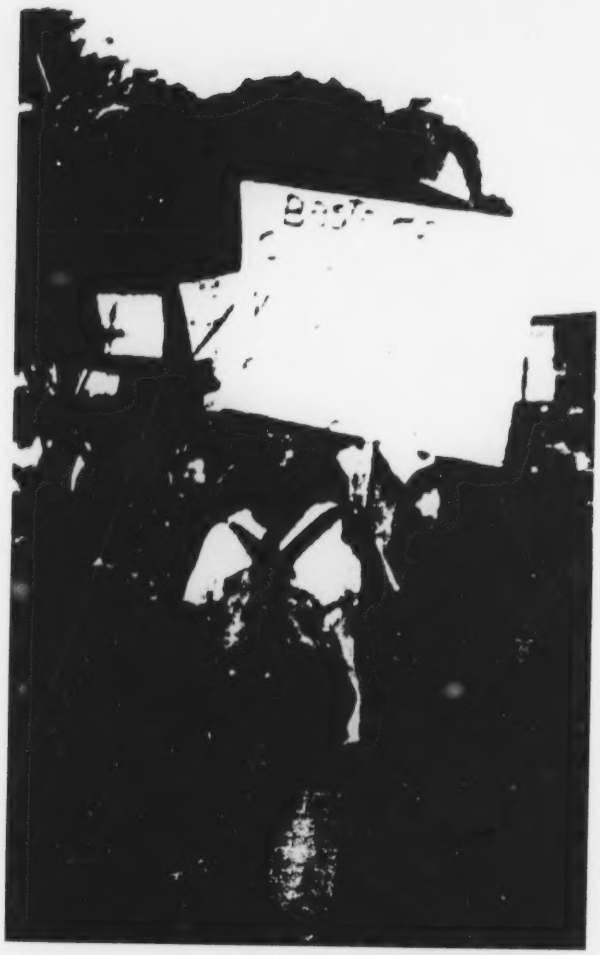
Si había dudas entre las autoridades de Puerto Maldonado sobre la presencia de indígenas en aislamiento, este hecho les confirmó lo que FENAMAD ha venido señalando reiteradamente.

La FENAMAD ha reiterado diversas veces su demanda para el establecimiento de una Reserva Territorial Indígena para sus hermanos "no contactados" - como popularmente se les conoce ahora en Puerto Maldonado y otras localidades de la región.

Problemática minera en comunidades nativas

En los ríos Inambari, Madre de Dios, Pukiri y Karene, las Comunidades Nativas Villa Santiago, Tres Islas, Barranco Chico y San José del Karene, entre otras, igualmente cansadas de que las autoridades de Energía y Minas no escuchen sus reclamos expuestos desde muchos años atrás, relativos a los perjuicios que sufren por el otorgamiento de derechos mineros a terceras personas en áreas correspondientes a sus tierras tituladas, éstas se encuentran realizando ahora, por su propia iniciativa y con el pleno respaldo de FENAMAD, visitas de advertencia a campamentos de mineros invasores dentro de áreas tituladas.

Igualmente, los indígenas cansados de ser calumniados y denunciados por fiscales, detenidos por distintos motivos ("robo y usurpación agravada", "atentados a la libertad personal") y de que los bienes decomisados de terceros sean nuevamente devueltos a sus propietarios quienes retornan otra vez a seguir trabajando, muchos comuneros indígenas se preguntan si en vez de requisar estos equipos y guardarlos, no será mejor sumirlos en el río. Actualmente, son numerosas las denuncias contra indígenas, incluido su asesor legal, acusado de "proselitismo terrorista".



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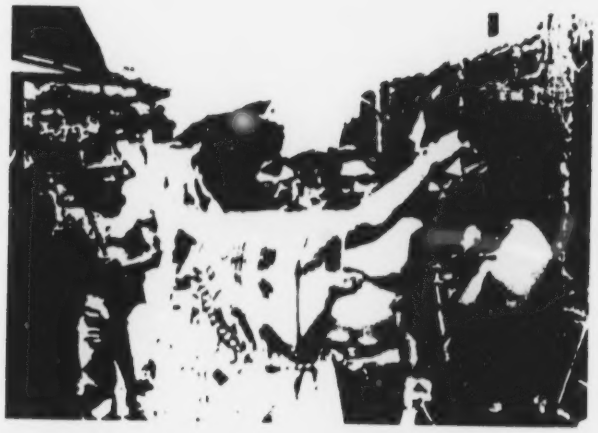

En la primera quincena de septiembre, se efectuaron visitas preventivas de desalojo de mineros en las CCNN Villa Santiago y Tres Islas, que recibieron el respaldo de otros indígenas de las vecinas CCNN, así como líderes indígenas y comuneros del Consejo Harakmbut, Yiné y Matsiguenka (COHARYIMA) y de FENAMAD.

El pasado 15 de septiembre, poco antes de iniciarse el paro regional indefinido, FENAMAD concretó una entrevista con el Ministro de Energía y Minas, con quien evaluó la problemática minera en comunidades nativas. De dicha reunión obtuvo el compromiso concreto de emitir una norma que paralice, en breve plazo, los petitorios mineros (solicitudes) de terceras personas aún no aprobados como concesiones mineras, dentro de los territorios titulados de 11 comunidades nativas en la región que vienen padeciendo la presencia de mineros invasores amparados por la actual legislación minera vigente, desde hace más de 20 años.

Reserva Comunal Amarakaeri

Su creación fue solicitada por 8 comunidades indígenas –principalmente *arakmbut*- desde 1992 junto con la FENAMAD, sobre la base de un detallado estudio técnico. Su establecimiento demoró muchos años, habiendo tenido que esperar en parte la conclusión de los trabajos de prospección petrolera del consorcio Mobil-Shell-Exxon en el Lote 78.

En el mes de julio se concretó un primer paso para su establecimiento, con el establecimiento de la Zona Reservada Amarakaeri (DS 029-2000-AG) en una superficie de 419.139 ha. Para su categorización definitiva se instaló, el 5 de septiembre en Puerto Maldonado, la Comision Técnica encargada de formular la propuesta de Delimitación y Categorización definitiva de la Zona Reservada. Dicha comisión esta conformada por representantes del INRENA, uno del PROMUDEH, uno del CTAR-MDD y dos representantes de las Comunidades Indígenas. Un próximo paso debe ser la aprobación de la norma que establezca la Reserva Comunal Amarakaeri, precisándose en particular su delimitación y formas de gestión.

Áreas Naturales Protegidas

Este 5 de septiembre -como resultado directo del primer paro regional de 72 horas- se promulgó el DS 048-2000-AG mediante el cual se aprobó la largamente esperada zonificación definitiva de la Zona Reservada Tambopata

Candamo (ZRTC, 1.478.942 ha., 60% en Puno y 40% en Madre de Dios). Así, una superficie de 254.358 ha. de la ZRTC se definió como Reserva Nacional Tambopata (RNT); el Parque Nacional Bahuaja Sonene (PNBS) se amplió a 1.091.416 ha. y un área de 262.815 ha. se definió como Zona de Amortiguamiento de la RNT y del PNBS. Esta definición fue facilitada por la reciente decisión de la empresa Mobil de retirarse del Lote 78, que comprendía un pozo de exploración en la cuenca del río Távara, dentro de la ZRTC.

Lo aprobado respondió sustancialmente a lo demandado por las organizaciones sociales, según un expediente técnico elaborado con el aporte colectivo y aprobado por consenso junto con ONGs que trabajan en esta región. Sin embargo, la propuesta multi-institucional para dejar excluida de cualquier categoría de Área Natural Protegida lo que ahora se denomina Zona de Amortiguamiento, es la principal diferencia entre lo propuesto y lo finalmente aprobado.

Debido a ello, como resultado del segundo paro regional de septiembre, las autoridades gubernamentales recibieron las demanda de la Asamblea Regional de que dicha Zona de Amortiguamiento se desactive, admitiendo que en la misma se podrán efectuar titulaciones de tierras con fines agropecuarios, principalmente en el río Malinowski, aunque el lugar está ocupado mayormente por pequeños mineros precarios.

Modificatoria de la Ley Forestal y de Fauna

El gobierno aprobó el pasado 16 de julio una nueva Ley Forestal y de Fauna Silvestre, en sustitución de la antigua ley del mismo nombre. Si bien la nueva ley tiene importantes avances en aspectos técnicos, promoviendo el manejo de los recursos forestales, adolece de alcances de tipo social, afectando principalmente a los pequeños y medianos extractores forestales quienes serían desplazados por la competencia de grandes grupos exportadores de madera que, además, desean acceder a grandes superficies de tierras forestales.

Un efecto de la protesta regional fue la creación (29.08) de una subcomisión dentro de la Comisión de Ambiente, Ecología y Amazonía del Congreso, encargada de analizar posibles modificaciones de la reciente Ley Forestal y la problemática de Madre de Dios. Luego de un trabajo intensivo, con el aporte de diversas ONGs y otros profesionales, la Asamblea Regional alcanzó finalmente, al finalizar el segundo paro regional, una propuesta de modificación de la referida Ley. Ahora, existe la expectativa por parte de las organizaciones como FENAMAD, de que otras organizaciones indígenas regionales se sumen a su movimiento a favor de modificar la referida ley antes de dar paso a la discusión sobre su Reglamento, cuyo borrador ha sido solicitado públicamente aquí, y

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que también sea prepublicado para su adecuada discusión.

Otros resultados

En infraestructura, se dará inicio al asfaltado de la carretera Iñapari-Puerto Maldonado-Puente Inambari. En gestión ambiental, los recursos que se generen por la madera incautada en la provincia de Tahuamanu quedarán en la Región y no se centralizarán por INRENA en Lima. En asuntos sociales, la privatización de los mercados se solucionará lo más pronto posible. Asimismo, en aplicación de la Ley de Promoción y Desarrollo de la Amazonía, se retirará el Impuesto General a las Ventas (IGV) a los servicios de energía eléctrica y de teléfonos.

Asamblea popular

Un resultado de este reciente movimiento social reivindicativo en Madre de Dios es la constitución de la Asamblea Regional como espacio de coordinación de organizaciones gremiales. Las organizaciones del campo lograron convocar a otras diversas organizaciones gremiales y sociales urbanas. Una experiencia inédita en la región que ha despertado expectativas, construidas sobre la base de la solidaridad y la acción conjunta entre agricultores, indígenas, pequeños extractores forestales, docentes, comerciantes, pobladores, jóvenes, etc.

Además de canalizar las demandas, ahora este espacio de coordinación tiene el reto de pasar de la protesta a la propuesta y, por tanto, de institucionalizarse como un espacio de trabajo inter-gremial y multi-institucional. Diversos líderes sociales coinciden ahora en que este espacio debe continuar funcionando a fin de trabajar otros temas como el Plan Estratégico de Desarrollo Regional de Madre de Dios, con la más amplia participación institucional y ciudadana de los actores públicos y privados.

Puerto Maldonado, 25 de septiembre del 2000

Alfredo García Altamirano, antropólogo. Actual Coordinador de TReeS-Perú, la sección peruana de TReeS-UK. También es miembro del Centro Eori de Investigación y Promoción Regional y del Instituto de Formación de Facilitadores para el Desarrollo Local (TARIPAQ). ❑

Foto: Alfredo García Altamirano / FADEMAD - FENAMAD

EL GOLPE EN FIJI DE MAYO DE 2000 Y LA CUESTIÓN INDÍGENA

Por Steven Ratuva

Jefes de Fiji en atuendo tradicional.
Fotos: Diana Vinding

El intento de golpe de estado civil del 19 de mayo del 2000 fue la culminación de meses de protestas etno-nacionalistas contra lo que se percibía como el gobierno de conducción indo-fijiana de Mahendra Chaudhry. Más de treinta miembros del gobierno de coalición de un año de antigüedad, fueron retenidos como rehenes durante más de dos meses por el líder rebelde George Speight, un empresario fallido y sus simpatizantes nacionalistas, junto con el cuerpo de elite del ejército, la Unidad de Combate Contra-Revolucionaria (CRW).

La toma de rehenes siguió a una enorme marcha de protesta nacionalista en la ciudad de Suva, la capital de Fiji. La marcha degeneró en asonadas y saqueos. Los comercios de los hindúes fueron atacados por jóvenes indígenas *fijianos* en una orgía de destrucción bien orquestada, como parte de la agenda de desestabilización general de los nacionalistas.

Durante los dos meses siguientes al derrocamiento, Fiji estuvo virtualmente sin ningún estado reconocible. El parlamento había sido violentamente disuelto el 19 de mayo, el Presidente ya no podía ejercer su autoridad después de que su vida fuera amenazada por los rebeldes armados y la policía – que estaba desarmada- no pudo contener a los asesinos armados de Speight, quienes aterrorizaban a los civiles en Suva. Pero el último bastión de la autoridad estatal, el ejército, tuvo que intervenir en forma dramática para mantener la ley y el orden y sustentar la autoridad estatal.

El ejército solicitó al Presidente que se retirara y procedió a imponer la ley marcial. La secuencia de acontecimientos que se sucedieron fue casi recordatoria del golpe militar de 1987, cuando el ejército de Fiji, integrado principalmente por indígenas, abolió la Constitución y se declaró la autoridad suprema de la nación. La única diferencia era que la intervención militar de 1987 fue en nombre del interés nacionalista indígena fijiano, pero en mayo del 2000, fue en nombre del interés nacional, contra un grupo que alegaba representar los intereses indígenas. Desde entonces, la política en Fiji se convirtió en algo muy complejo, especialmente con relación a la forma en la cual la política étnica se vio subsumida en la lucha de poder intra-indígena fijiana entre diversas fracciones de jefaturas rivalizantes.

Finalmente, mientras que se escribe este artículo, después de semanas de infructuosas negociaciones entre el ejército y los rebeldes, intensa guerra psicológica e inacabables situaciones sin salida aparente, el ejército recurrió a la fuerza para tomar el control de la situación. Los rebeldes fueron arrestados, el desorden controlado y se puso en marcha el proceso de "normalización" política. Irónicamente, la jura del nuevo gobierno fue el final acto legitimante del intento de golpe del 19 de mayo. Los simpatizantes del golpe que estaban detrás de las bambalinas dominan las filas del gabinete, mientras que Speight y su grupo de "avanzada" son prisioneros en una isla paradisíaca fuera de Suva, aguardando su juicio por traición y recuperándose de las heridas infligidas por la venganza física del ejército contra ellos.

Para entender completamente el golpe de Fiji, necesitamos examinar algunos de sus aspectos multidimensionales, algunos de los cuales están "ocultos" mientras que otros están a la vista. El resto del artículo examina brevemente algunos de estos aspectos.

La Constitución de 1997 y los derechos indígenas

La Constitución de Fiji de 1997 fue aclamada por varios expertos como una de las más democráticas y progresistas del mundo. Esto se debió a que su promulgación fue el resultado de consultas a nivel mundial y nacional y a la inclusión de importantes aspectos como la declaración de derechos y un amplio pacto comprensivo. Lo importante era que contenía los derechos indígenas fijianos en relación a la tierra y las costumbres, a la vez que proveía derechos iguales para todos los otros grupos étnicos como los indo-fijianos, los chinos, los europeos, los semi- europeos, otros asiáticos e isleños del Pacífico. La constitución fue un intento de concretar la noción de "política de compromiso", o en la jerga de las ciencias políticas, el "consociacionalismo". La Constitución previó una coalición multipartidaria y en el contexto de los partidos políticos de Fiji, de base étnica, esto significó que cualquier gobierno según la Constitución de 1997 tenía que ser de naturaleza multiétnica. Así, el primer gobierno bajo esta constitución fue una coalición de cuatro partidos políticos: el Partido Laborista, multiétnico pero todavía principalmente indo-fijiano, el Partido Fijiano de Asociación (FAP) de base indígena fijiana, el Partido de Unidad Nacional (PANU) de base indígena fijiana del oeste y el Partido General de los Votantes (GVP) dominado por europeos/semi-europeos /chinos/otros grupos.

No obstante, había una dificultad, en el contexto de la política étnicamente volátil de Fiji. La coalición gubernamental estaba dominada por el partido laborista, el cual ganó todos los escaños hindúes tanto a nivel comunal (votación intra-étnica) como nacional (votación inter-étnica). El partido laborista eclipsó totalmente a su rival, el Partido de la Federación Nacional (NFP) de base hindú, el cual había formado una coalición con el *Soqosoqo ni Vakavulewa ni Taukei* (SVT) de base indígena fijiana, liderado por el Mayor General Rabuka, líder de los golpes militares de 1987. El dominio de la coalición por parte de los laboristas brindó a su líder, Chaudhry, la "legitimidad" para dirigirse al Presidente Mara para solicitar su nombramiento como Primer Ministro, sin consulta con los otros miembros de la coalición. Esto enfureció a sus oponentes tanto dentro como fuera de la coalición, que habrían preferido un Primer Ministro indígena fijiano. Las semillas de la conspiración para derrocar a Chaudhry estaban plantadas y el complot se hacía más espeso en la medida en que pasaba el tiempo.

Debido a que fue el resultado de un compromiso político, la Constitución de 1997 era solamente funcional en el contexto político moderado centrista. La Constitución de 1997 surgió como resultado de la revisión de la impopular Constitución que siguió al golpe de 1987, que otorgaba a los indígenas fijianos una total superioridad política sobre los demás grupos étnicos. La revisión fue sólo posible debido a la asociación histórica y las relaciones reconciliatorias entre el, en aquel entonces, diputado Rabuka y el líder indo-fijiano de la oposición, Reddy. Chaudhry rechazó esta asociación y acusó a Reddy de estar demasiado próximo a Rabuka y de ser un "vendido". Chaudhry también condenó el discurso de Reddy al Gran Consejo de Jefes, acusándolo de intentar ganar puntos con la dirección fijiana. En su discurso a los jefes, durante el cual algunos lloraron abiertamente, Reddy llamó a la reconciliación, diciendo que los jefes indígenas fijianos no eran solamente jefes para los fijianos sino también para los indo-fijianos. La reputación de Chaudhry de ser incapaz de lograr una reconciliación inter-étnica se convirtió en una fuente de irritación para los indígenas fijianos e indo-fijianos moderados quienes consideraron la asociación centrista Rabuka-Reddy como el camino futuro para Fiji.

La asociación Reddy-Rabuka reflejó la posición ideológica centrista de la misma constitución. No obstante, la victoria electoral de Chaudhry y su ascenso a primer ministro, basándose en una plataforma política etnicista sin compromisos, descentró el punto de gravitación política. Este "cambio" creó inmediatamente las condicio-

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Una familia tuana. Foto: Diana Vinding

Jóvenes guerreros durante una ceremonia tradicional de bienvenida, Suva, Fiji. Foto: Diana Vinding

nes para el resurgimiento de las fuerzas etno-nacionalistas que consideraban la ascensión de Chaudhry al poder como una amenaza directa a su aspiración de mantener la dirección política de Fiji en manos fijianas.

Etno-nacionalismo y la cuestión indígena fijiana

Aunque la Constitución de 1997 fue aclamada como un documento legal casi perfecto, no encaró plenamente la cuestión etno-nacionalista de los indígenas fijianos, especialmente cuando las injusticias que inspiraron el golpe de 1987 no habían sido plenamente resueltas. Por ejemplo, las políticas de acción afirmativa pro-indígenas prescritas en la Constitución de 1990 fueron diluidas; un ejemplo fue que los grupos beneficiarios designados fueron extendidos de los "fijianos y *rotumanos*" para incluir a otros grupos "desaventajados". Las tensiones políticas que caracterizaron al período posterior al golpe de 1987, especialmente con relación a las demandas etno-nacionalistas de los indígenas fijianos, fueron ignoradas, lográndose en cambio un compromiso político provisional en base al acuerdo Reddy-Rabuka . Este compromiso marginó enormemente a los partidarios originales de Rabuka y contribuyó al endurecimiento de su determinación nacionalista. Estas tensiones nacionalistas pasaron al frente a continuación de la victoria de Chaudhry y su ascensión a la dirección nacional.

El etno-nacionalismo indígena fijiano necesita ser comprendido en relación a tres componentes dinámicos e interrelacionados. Primero, tiene una base sociocultural. A este respecto, el sistema tradicional sociocultural de jefaturas (o *vanua*), reinventado y cristalizado durante la época colonial, ha sido utilizado para suministrar los simbolismos sociales, el atractivo primordial y los sentimientos culturales que formaron la base ideológica para la movilización nacionalista. Segundo, esta forma de movilización sociocultural ha sido deliberadamente desplegada como una herramienta para la diferenciación y la hegemonía étnica. Tercero, también ha sido movilizada para servir a los intereses políticos de ciertos individuos o grupos, ya sean jefes o demagogos políticos nacionalistas. Así, el etno-nacionalismo fijiano se pudo manifestar ya sea en relación a la búsqueda de la supremacía indígena fijiana como en la lucha intra-fijiana por el poder. Ambos niveles de tensión están vinculados de una forma dinámica. Lo que quizás comienza como una demanda por los derechos étnicos, puede evolucionar en una lucha inter-comunal sobre la demanda del poder o viceversa. La tensión política oscila en forma dinámica entre los dos niveles.

El golpe de mayo del 2000 manifestó algunas de estas complejidades. La consolidación de la Constitución de 1997 tenía como objetivo crear un nuevo espíritu nacional, un discurso unificador "nacionalista" multiétnico para el país, pero esto fue subvertido por el etno-nacionalismo indígena sectario. George Speight y su grupo de rebeldes hicieron uso de los simbolismos socioculturales, de la atracción primordial y los sentimientos culturales indígenas fijianos asociados con el *vanua* para legitimar su búsqueda de poder. Esta búsqueda del poder tenía una agenda comercial subyacente. Examinaremos esto a continuación.

Intereses comerciales

Algunos de los más importantes participantes del golpe eran miembros de la emergente clase media burocrática indígena fijiana, que fue consolidada después del golpe militar de 1987 y las subsiguientes políticas de acción afirmativa. Los principales beneficiarios del impulso de acción afirmativa y privatización del régimen de Rabuka fueron individuos de la clase media fijiana que tenían vínculos con la burocracia estatal y las instituciones financieras, como el Banco de Desarrollo de Fiji (FDB) y el Banco Nacional de Fiji (NBF). El paquete accionario y el control de las corporaciones estatales privatizadas estaban en manos de la emergente burguesía indígena fijiana. Para este grupo, el nacionalismo era el medio ideológico y político mediante el cual ellos podían legitimar y proteger sus privilegios económicos. Para ellos, los indo-fijianos eran competidores económicos y adversarios políticos que debían ser contenidos. De esta manera, el neoliberalismo y la globalización se convirtieron en aliados del etno-nacionalismo.

El intento de Chaudhry de retirar la acción afirmativa indígena y la privatización fue considerado como un intento deliberado de subvertir las aspiraciones económicas de los indígenas fijianos. La clase media educada fijiana clamó injusticia y rápidamente se alineó con los extremistas nacionalistas llamando a un derrocamiento del gobierno de Chaudhry. La falta de tacto político de Chaudhry, la negativa a consultar a sus propios colegas partidarios y su confrontativa arrogancia de tipo sindical, simplemente agravaron la situación. Claramente, la personalidad de Chaudhry y su disposición profesional no eran apropiadas para el puesto de primer ministro en una situación como la de Fiji, con una complejidad y volatilidad étnica que requiere un delicado equilibrio político.

Algunas víctimas de las políticas de Chaudhry de la clase media fijiana comenzaron a hacer campaña abiertamente por la no-extensión de los arrendamientos de tierras a los granjeros indo-fijianos después de su expiración. Parte del plan era "privatizar" la tierra fijiana (incluyendo la Junta Administrativa de Tierra Nativa) y convertirlas en plantaciones mecanizadas de azúcar a gran escala. Los defensores de estos proyectos eran partidarios de las políticas neoliberales de desregulación y ajuste estructural. Eran algunos de los beneficiarios directos de las políticas de privatización y desrregulación de Rabuka.

Algunos simpatizantes claves de Speight tenían deudas enormes con los bancos como resultado de negocios fallidos. Para ellos, el control del gobierno era necesario para escapar al procesamiento judicial o para usar recursos estatales para pagar sus deudas.

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El mismo Speight tenía intereses comerciales en la silvicultura, entre otras empresas comerciales y tenía una estrecha asociación comercial con algunos de los principales políticos y empresarios fijianos que se oponían al gobierno de Chaudhry. Speight estaba siendo investigado por el gobierno de Chaudhry por recibir dinero de una compañía norteamericana, Timber Resource Management, cuando era presidente de Fiji Hardwood Company, administrada por el gobierno. La compañía había hecho una oferta para procesar la caoba de Fiji, avaluada en mil millones de dólares, pero la licitación fue otorgada a otra compañía. Los simpatizantes de Speight incendiaron luego la sede de Fiji Hardwood para destruir posibles pruebas relacionadas con los supuestos negocios turbios de Speight.

La elite comercial indígena fijiana vio al gobierno de Chaudhry como una barrera para su enriquecimiento y deseaba su rápida desaparición por cualquier medio. Después del intento de golpe, este grupo suministró asesoramiento político, técnico e intelectual a Speight y esto incluyó el proyecto para un nuevo gobierno, llamado el "Acta de Soberanía". La ambición política de este grupo tuvo corta vida luego de que el ejército arrestó a Speight y sus seguidores y el establecimiento de un nuevo gobierno interino.

El ejército

El papel del ejército en el intento de golpe de mayo del 2000 es de gran importancia porque fue diferente de la intervención militar de mayo de 1987. La intervención de 1987 mostró el carácter "político" del ejército. Instrumentó dos golpes en nombre del "interés indígena fijiano". En mayo del 2000 intervino en nombre del "interés nacional", garantizando la seguridad del estado contra un grupo civil que alegaba representar la "causa" indígena.

El ejército (que consiste aproximadamente en un 99% de indígenas fijianos) tomó el poder después que el Presidente ya no podía imponer su autoridad ejecutiva, bajo la amenaza de las técnicas de terror de Speight. La imposición de la ley marcial permitió al ejército tomar el control total de la situación de seguridad en Fiji.

Sin embargo, el ejército se enfrentó a una serie de dilemas. Primero, había una división potencial en el mismo ejército debido a divergentes lealtades políticas y tradicionales. Una serie de oficiales de la plana mayor ya se habían unido al bando de Speight, aparte de los miembros de la unidad de elite de Combate Contra-Revolucionaria (CRW) que estaban directamente implicados en el ataque al Parlamento y en la toma de rehenes. Otros oficiales del ejército leales a Speight estuvieron implicados en un motín en el campamento del ejército de Labasa en la isla septentrional de Vanualevu. Más tarde, el ejército atacó y retomó el campamento. Otros oficiales del ejército estaban involucrados en actividades terroristas aisladas, incluyendo la toma de los pueblos de Korovou y Levuka. No obstante, el comando central del ejército mantuvo su unidad y finalmente tomó el control de la situación.

El segundo dilema relacionado era la cuestión de si el ejército, mayoritariamente integrado por indígenas fijianos, estaba en situación de enfrentar, e incluso disparar y matar a indígenas fijianos. Durante las manifestaciones nacionalistas antigubernamentales previas al intento de golpe militar de 1987, el ejército expresó su temor de tener que enfrentar y disparar contra manifestantes indígenas fijianos y se vio entonces obligado a apoyar la agenda política de los mismos manifestantes. Esta vez, el ejército mantuvo su compromiso político y aplastó la rebelión después de tres meses de negociaciones fallidas. Los alegatos relativos a que el ejército estaba "influenciado étnicamente" fueron acallados, al menos por ahora.

Efectos del golpe y potencial para la reconstrucción

El derrocamiento del gobierno electo y la abrogación de la Constitución de 1997 marcaron el fin de una era de democratización que comenzó a mediados de la década de los 90. El golpe rompió otra vez la frágil cáscara de la democracia. El estado fijiano ha sido debilitado considerablemente y una cultura de violencia política se ha convertido, en mayor o menor medida, en una característica del sistema político. A partir de ahora, el proceso de reconstrucción será todavía más difícil. El estado necesita ser reconfigurado y se tienen que encarar las violaciones de los derechos humanos.

Después del golpe de 1987, Fiji se recuperó bastante dramáticamente en pocos años, tanto económica como políticamente. Esta vez, el daño es bastante profundo, el dolor más insoportable para muchos y el proceso de reconstrucción es más difícil. Durante los dos meses del golpe, la economía se contrajo en un 25% y el deterioro fue 2-3 veces peor que en 1987. La industria turística sufrió una caída libre, los índices de ocupación de los hoteles bajaron a menos del 10% (de un promedio de 70-90%) en pocos días y muchos trabajadores hoteleros (la mayoría de los cuales son indígenas fijianos) perdieron sus trabajos. El deterioro económico fue empeorado por la amenaza de boicot comercial de Australia, Nueva Zelanda y la Unión Europea, y la exclusión de la Mancomunidad Británica.

El futuro político de Fiji se encuentra en un delicado equilibrio entre la equidad étnica y la estabilidad política. La última puede significar hacer más concesiones a las demandas fijianas pero esto no debería hacerse a expensas de socavar los intereses de otros grupos étnicos. Aunque es importante enfrentar las enormes injusticias que sufren los indígenas fijianos, también es importante cuidarse de los intentos de individuos y grupos que tienen una agenda comercial y política y usan la noción de la "causa indígena fijiana" como una ideología para movilizar un apoyo político que sirva a sus propios intereses.

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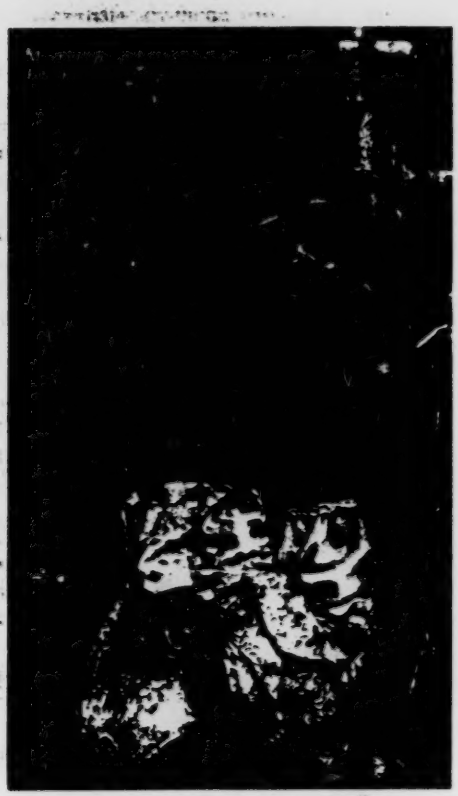
¿QUÉ VENTAJAS TIENE EL OLEODUCTO PARA LOS BAGYÉLI DE CAMERÚN?

Por El Programa para los Pueblos de los Bosques
(Forest Peoples Program, UK)



Las comunidades indígenas *bagyéli* del sudoeste de Camerún pronto se enfrentarán a las consecuencias ambientales y sociales de un oleoducto que pasará a través de su territorio. El polémico proyecto del oleoducto Chad-Camerún fue aprobado por el Banco Mundial el 6 de junio del 2000. Tiene un costo total de 3.500 millones de dólares, de los cuales 1.600 millones son para la explotación de los campos petrolíferos de Doba, en Chad, y otros 1.900 millones de dólares están destinados a la construcción de un oleoducto de 665 millas para transportar el petróleo desde Chad a través de Camerún hasta las instalaciones portuarias de Kribi, en la costa de Camerún. El proyecto será implementado a través de un consorcio que comprende a las compañías con sede en EE.UU. Exxon (40%) y Chevron (25%) junto con Petronas de Malasia (35%) y los dos gobiernos. ELF y Shell, que eran miembros del consorcio, se retiraron en noviembre de 1999. El Banco Mundial financia el proyecto con préstamos de 240 millones de dólares. El apoyo del Banco Mundial fue considerado esencial por el consorcio petrolero para asegurar el proyecto contra los riesgos políticos.

Tres generaciones de bagyéli. Foto: Karen Biesbrouck

Fuente: El Proyecto del Oleoducto Chad-Camerún: la gente y el medio ambiente expuestos a un riesgo (ASTPDDHC, CED y EDF, 1999)

Muchos aspectos del proyecto han sido objeto de controversia. Las ONGs alegan violaciones de al menos cinco de las políticas del Banco Mundial,[1] incluyendo la política para los pueblos indígenas. Se ha notado una persistente falta de consulta y participación durante toda la preparación del proyecto.[2] Entre las más amplias preocupaciones sobre el proyecto planteadas por las ONGs se encuentran las siguientes: represión e intimidación de las ONGs del Chad y las comunidades afectadas por el proyecto, probabilidad de que los beneficios sean absorbidos por la corrupción; planes de compensación y reasentamiento inadecuados; poder excesivo otorgado al consorcio del oleoducto; medidas inadecuadas de mitigación del impacto ambiental.

El oleoducto cruzará los bosques del sudoeste de Camerún, atravesando el territorio tradicional de los alrededor de 4.000 bagyéli (*bakola*) también llamados "pigmeos", que viven principalmente de la caza y la recolección, algo de agricultura y como trabajadores ocasionales en las aldeas bantú.

El "Plan para los Pueblos Indígenas", preparado en 1999 para cumplir con la política del Banco Mundial sobre proyectos que impactan a pueblos indígenas (Directiva Operacional 4.20), fue deficiente y sólo propuso medios de mitigación de probables problemas educacionales y sanitarios. No encaró los temas fundamentales requeridos por la D.O. 4.20 como el reconocimiento legal de los derechos indígenas, incluyendo los derechos a la tierra, la política del gobierno de Camerún con respecto a los pueblos indígenas y la construcción institucional, o el establecimiento de mecanismos para la participación indígena en todo el ciclo del proyecto. El plan subestimó los probables impactos del proyecto sobre los medios de subsistencia de los bagyéli debido a la alteración de los bosques y la fauna asociada a los mismos. Tampoco identificó las amenazas más obvias contra la población local provenientes de la afluencia de trabajadores del oleoducto, el aumento notorio del consumo de alcohol, la violencia, la prostitución y el SIDA [todos estos impactos están registrados en otros casos de oleoductos]. Más de la mitad del documento está dedicado a sugerencias sobre el propuesto Fondo de Garantía a ser establecido bajo el proyecto para realizar proyectos de desarrollo para grupos afectados bantú y bagyéli durante un período de 30 años. Se han elaborado las estructuras de dirección y los tipos de proyectos de salud y educación que podrían ser encarados pero no contienen previsiones adecuadas para la participación bagyéli, su entrenamiento o capacitación. Es probable que los beneficios recaigan en forma desigual en favor de los grupos dominantes.[3] El fondo propuesto de $600.000 parece desastrosamente inadecuado comparado con los $500 millones que se espera que Camerún obtenga del oleoducto (3 por ciento del presupuesto nacional).

En abril del 2000, la organización bagyéli *Comité de Développement des Bagyéli des Arrondissements de Bipindi et Kribi* (CODEBABIK) y la ONG ambientalista y de desarrollo de Camerún, *Planet Survey*, realizaron un relevamiento de 11 aldeas bagyéli dentro de una zona de 10 km. del curso del

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Hombre bagyéli prepara la caza con red. Foto: Karen Biesbrouck

oleoducto. El objetivo del relevamiento era evaluar la efectividad de las consultas realizadas por el proyecto del oleoducto con las comunidades locales. La investigación concluyó que el 55% de las personas entrevistadas no tenían un conocimiento general del proyecto mientras que sólo el 20% tenía un conocimiento superficial.[4] Sólo el 8% disponía de una buena comprensión de los riesgos y ventajas del proyecto. Esta gente, predominantemente bantú, vio las ventajas en términos de compensación y oportunidades laborales. El estudio concluye que las consultas con comunidades locales durante la planificación y preparación del proyecto, especialmente con las bagyéli, fueron inadecuadas.

El estudio revela además que los bagyéli son ciertamente un grupo marginado y vulnerable. No son reconocidos como ciudadanos cameruneses, no tienen documentos de identidad nunca participan en las elecciones locales, no tienen derechos a la tierra según el derecho nacional ni tampoco según el derecho consuetudinario bantú y no tienen derechos de propiedad reconocidos. Por lo tanto, son marginados en todas las tomas de decisión locales. No han sido bien informados sobre las implicaciones del proyecto para su futuro. El gobierno ha provisto poca o ninguna información. No se han realizados estudios básicos adecuados y sólo se celebró una reunión con algunos de los jefes aldeanos. Mientras tanto, los equipos de relevamiento han estado activos en el área sin brindar información a las comunidades. No se ha establecido ningún mecanismo para la efectiva participación de los bagyéli en las tomas de decisiones y no hay agencias gubernamentales que protejan activamente sus intereses o promuevan su bienestar.

No es de sorprender que los bagyéli se sientan ajenos al proyecto del oleoducto, el cual les acarreará, muchos problemas pero pocos beneficios, según ellos creen. Prevén una pérdida de acceso a sus bosques, animales de caza, hierbas y medicinas y otros productos forestales nomadereros, así como también un daño inmediato a sus chozas y pequeñas áreas cultivadas. La compensación que ha sido pagada a los aldeanos bantú por concepto de pérdida de cosechas, tierras y edificios, no ha sido pagada a los bagyéli. Las disputas sobre la compensación han conducido a una serie de demandas legales, las mayorías de las cuales están pendientes. Incluso cuando se ha adjudicado compensación a los bagyéli, ésta ha sido absorbida por los grupos bantú dominantes.

El estudio CODEBABIK/Planet Survey recomendó estudios de base, clarificación de los derechos bagyéli, especialmente a la tierra, la creación de mecanismos efectivos para la participación bagyéli en las tomas de decisiones y la provisión de medios alternativos de subsistencia o empleo pago para aquellos que serán desposeídos por el proyecto.

En una carta de seguimiento al Banco Mundial de mayo del 2000, el coordinador de programas de CODEBABIK, Jacques Ngun solicitó al Banco Mundial que antes del comienzo del proyecto garantizara: "a) que se realicen otra vez plenas consultas participativas con las comunidades bagyéli, por un equipo independiente de la elite local, de una forma culturalmente apropiada para que los bagyéli estén completamente informados de los impactos negativos y positivos del oleoducto; b) que el gobierno camerunés sea informado sobre la situación general de los pigmeos de Camerún; c) que el gobierno de Camerún regularice formalmente la situación de la tenencia de la tierra de los pigmeos y les adjudique tierras; d) que se implementen medidas para combatir las desigualdades que existen entre los bantú y los pigmeos, se facilite el acceso a la educación, servicios de salud y se ayude a los pigmeos a obtener documentación oficial como certificados de nacimiento y cédulas de identidad".

CODEBABIK concluyó "todas estas acciones son necesarias para posibilitar que las comunidades pigmeas tomen el control de su propio destino. El gobierno camerunés debería apoyar las iniciativas de las organizaciones pigmeas para su desarrollo y autodeterminación ya existentes".

El enfoque básico del Banco parece haber cambiado del trazado de los proyectos como lo prevé la D.O. 4.20 que trataría con temas políticos fundamentales relativos a los derechos indígenas, a un enfoque de creación gradual de capacidad que incremente la habilidad de los pueblos indígenas para promover su propia agenda a largo plazo. En el caso de los bagyéli, las organizaciones indígenas y los grupos de apoyo argumentan que este enfoque de fortalecimiento institucional es bienvenido pero no es suficiente por sí mismo para proteger a este grupo vulnerable de los impactos de la fase de construcción que pronto serán sentidos. Lo que se necesita es un marco institucional y legal adecuado para salvaguardar los derechos a la tierra y a los recursos de los bagyéli y superar la discriminación.

Es crucial, que los mismos bagyéli decidan cuáles "beneficios", compensación y medidas de mitigación son apropiados para salvaguardar sus derechos según el Plan para los Pueblos Indígenas. Como indica la carta de CODEBABIK, el primer paso esencial es desarrollar e

implementar una estrategia *culturalmente apropiada* para hacer conscientes a los bagyéli de los riesgos potenciales del oleoducto. Tal estrategia debe tener en cuenta los procesos de toma de decisiones descentralizados, colectivos y consensuales de la cultura bagyéli. Por lo tanto, debe ser implementada dentro de un marco temporal adecuado que facilite una efectiva participación informada, tal como lo requiere la D.O. 4.20.

Los activistas de los derechos humanos, las organizaciones de pueblos indígenas, los líderes religiosos de Chad, Camerún, Europa y los EE.UU. realizaron intensas campañas para tratar de persuadir al Banco Mundial para que rechazara este controvertido proyecto hasta que se pueda garantizar una adecuada protección para los derechos humanos y el medio ambiente. El intenso trabajo de "lobby" con los Directores Ejecutivos y con la dirección del Banco logró demorar el proyecto durante varios años. Aunque la campaña internacional no logró bloquear el proyecto, forzó a la Junta Directiva del Banco Mundial a reconocer públicamente los elevados riesgos asociados con el oleoducto y la necesidad de procedimientos especiales para monitorear el cumplimiento de las políticas de salvaguardia. Para encarar estos intereses, la Junta aceptó propuestas de la sociedad civil para que un Grupo Asesor Independiente (IAG) informara regularmente a la Junta sobre el progreso de la implementación de este proyecto. Existen también indicios de que será elaborado un Plan para Pueblos Indígenas revisado y plenamente financiado.

Mientras tanto, los bagyéli, las ONGs y grupos de ciudadanos están aguardando más detalles sobre las próximas etapas de la implementación del proyecto y están presionando para la obtención de información actualizada que posibilite el examen de los planes revisados. Por sobre todas las cosas, los grupos de la campaña requieren que el IAG se establezca de una forma abierta y colaborativa con la sociedad civil y solicitan al Banco Mundial que asegure que el IAG sea establecido como una herramienta *independiente*, responsable y transparente para monitorear las inversiones y detectar las violaciones de las directivas operacionales del Banco.

A pesar del compromiso declarado del Banco Mundial para asegurar que el proyecto sea adecuadamente monitoreado y que los intereses del pueblo bagyéli hayan llegado a los más elevados niveles del Banco, queda por verse qué es lo que les espera a los bagyéli. Hasta que la nueva documentación esté a disposición, existen importantes interrogantes en espera de una respuesta: ¿proveerá el proyecto medios para encarar los problemas fundamentales de discriminación e impotencia que enfrentan los bagyéli? ¿La inversión les otorgará medios de subsistencia adecuados, derechos e igualdad? La pregunta más relevante es ¿cómo harán los administradores del proyecto y el consorcio para eliminar los riesgos de un creciente empobrecimiento y marginación del pueblo bagyéli?

El enorme esfuerzo de los bagyéli y sus simpatizantes para poner de relieve los intereses de los pueblos indígenas afectados por el oleoducto significa que el proyecto está

Bagyéli recolectando miel. Foto: Karen Biesbrouck

intensamente expuesto a la atención pública internacional. Miembros de la Dirección del Banco han confirmado que consideran que el proyecto pondrá a prueba la capacidad del Grupo del Banco Mundial para disminuir la pobreza y salvaguardar los derechos de los pueblos indígenas. Aquellos que realizan campañas por los pueblos indígenas están resueltos, por lo tanto, a trabajar con los bagyéli para continuar presionando al Banco para que se ajuste a su política sobre Pueblos Indígenas de acuerdo con las normas internacionales existentes y emergentes. La experiencia pasada de cabildeos con el Banco Mundial demuestra que esto requerirá un apoyo vigilante y continuo de parte de todos los sectores de la sociedad civil del Norte y del Sur.

Aquellas personas interesadas en informarse sobre el proyecto del oleoducto Chad-Camerún pueden tomar contacto con el Forest Peoples Programme (Programa para los Pueblos de los Bosques) Stratford Road, Moreton-in-Marsh, GL56 9NQ, UK Fax: 44 1608 652878, Email: info@fppwrm.gn.apc.org

Notes

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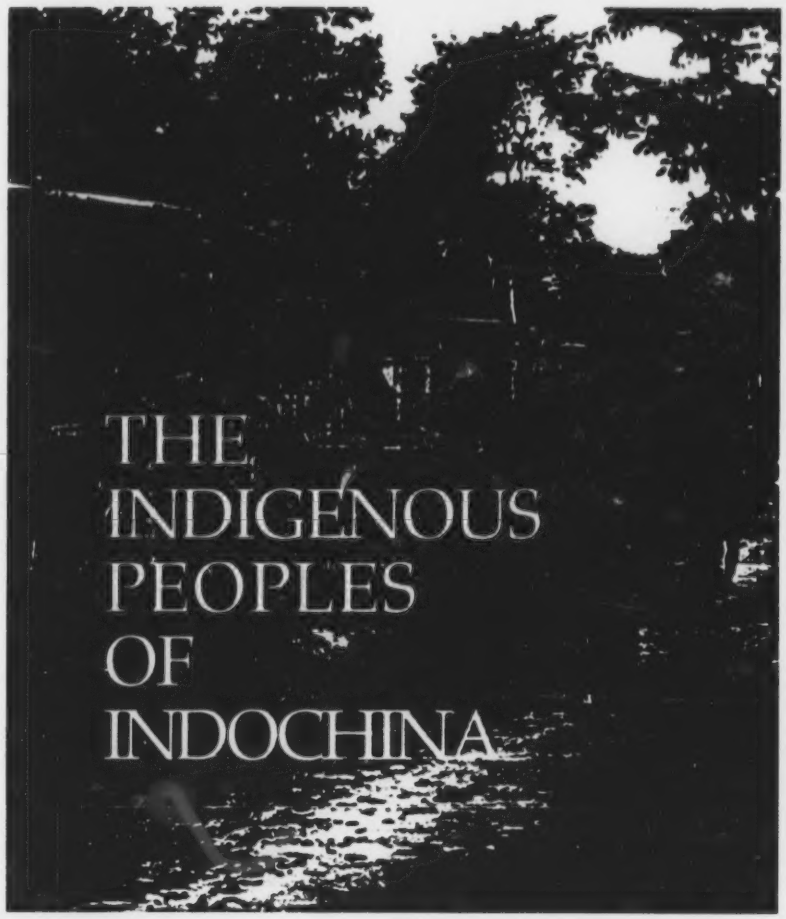

THE INDIGENOUS PEOPLES OF INDOCHINA

Indochina is the name sometimes given to the large peninsula lying between present-day India and China. It not only refers to the region's geographical location, however, but as much to the strong influence these two cradles of ancient civilisation have had on its political and cultural history. More commonly, however, the name Indochina is applied to the area today covered by the three countries located on the eastern side of the peninsula: Laos, Cambodia and Vietnam. This use of the term is a remnant from almost a century of French colonisation, during which the formerly independent kingdoms, princely states and tribal communities of that part of the world were gradually forced into what was euphemistically named the "French Indochinese

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By Christian Erni

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Union" (after the 2nd World War this became the "Indochinese Federation").

The Legacy of War

To most people, Indochina still primarily evokes images of war and unrest. And indeed, to all three countries, the 20th century was one of unimaginable suffering in the wake of their struggles for liberation from foreign domination and domestic tyranny.

With anti-colonial resistance becoming more organized under the communists during the first half of the century, the Japanese invasion during World War II, the First Indochina War of the Viet Minh against the French in Northern Vietnam from 1946 to 1954 and the second from 1959 to 1975 against the USA and their puppet governments (which all three countries were drawn into), only the last generation of Vietnamese and Laotians born in the 20th century has been spared the horrors of having to grow up in times of war. In Cambodia, however, the suffering was not yet over. What was to follow were three years of terror under the Khmer Rouge regime during which over two million people were killed. Vietnamese intervention brought an end to the nightmare but civil war continued during their presence, flaring up after their withdrawal in 1989 and slowly petering out only in the late 1990s.

The legacy of war still weighs heavily on the people of Indochina. It has left many physically disabled and mentally traumatised, forests denuded and children crippled from toxic remains in the soil and food chain following the massive use of defoliants and herbicides. Valuable agricultural land is scarred with bomb craters and large areas littered with so-called "unexploded ordnance" (UXO). It is estimated that by the end of the 2nd Indochina War, 1.9 million tons of bombs, at that time half a ton for every person or 10 tons per km^2, had been dropped by the US on Laos alone. Even after years of UN-funded clearing operations, more than 30% of all villages in Laos are still contaminated by UXO. It is causing an estimated 130 casualties per year (in Cambodia about 800), many of them children.

Much of the bombing and fighting occurred in mountainous areas, especially along the so-called Ho Chi Minh trail, the main route of advance of the North Vietnamese army during the 2nd Indochina War. This runs along the Annamite Chain and partly through Laos and Cambodia to South Vietnam. These areas, which were disproportionately affected by the war, are home to mostly indigenous peoples.

Indigenous peoples have not been only passive victims of the war. They have participated actively and on all sides. For those who supported the defeated, the consequences are still felt today. They are often treated with suspicion by their governments. A few thousand Hmong who sided with the Americans are still keeping up their resistance against the socialist government of Laos, supported by organisations of Hmong refugees living in the USA (see article by Gary Yia Lee in this issue).

A less well-known legacy of the Second Indochina War is the still widespread opium production that con-

tinues in Northern Laos, adjacent areas of Burma and, although now to a lesser extent, Vietnam and Thailand. While opium has been produced in the area for much longer, it received a boost during the 1960s and 1970s when the US troops became involved in the war. The CIA was using profits from opium and heroin transported aboard US aircraft to finance its covert operations in Indochina. It led to an increased heroin supply worldwide and, consequently, opium production in the remote areas of what became known as the "Golden Triangle". This has drastically changed the local economy and livelihoods of the villagers involved, who almost exclusively belong to indigenous peoples (see article by Michael Epprecht).

Indochina's Indigenous Peoples

It is only since the reforms and the slow opening-up of socialist Vietnam and Laos in the late 1980s, along with the end of the civil war in Cambodia in the mid-90s, that more detailed information on the indigenous peoples of these countries has again become available. This edition of *Indigenous Affairs* will present some of the findings of research conducted in recent years.

But who are we referring to when we talk of Indochina's indigenous peoples? It is not my intention to present and discuss the various internationally used definitions of indigenous peoples or to explore their relevance and applicability to Indochina or the Asian context in general. This has been extensively done elsewhere (Kingsbury 1995, 1998).

In Indochina, the indigenous peoples are more often called "ethnic minorities" or "highland peoples" in literature. In the contributions to this edition, the three terms are used interchangeably. In Vietnam, the official term is "ethnic minorities", in Laos "ethnic groups", "ethnic peoples" or "non-ethnic Lao", and in Cambodia "highland Khmer" or "highland peoples".

The diversity of indigenous peoples in Indochina is staggering. Cambodia has the smallest population of indigenous peoples. Reliable figures do not exist but estimates put their number at somewhat above 100,000. They belong to more than 30 ethnic groups and make up about 1% of Cambodia's total population of 10 million. In Laos, about 70% of the total population of 4.8 million, i.e. approximately 3.4 million people belong to "ethnic minorities", divided into more than 230 different ethnolinguistic groups (ILO 2000: 7). In Vietnam, 53 "ethnic minority groups" have been officially recognised. The actual number may however be considerably higher since classification seems to be rather crude. Recent estimates put their total population at 10 million, amounting to about 13.5 % of the national total of 74.5 million (Zankel 1996: 3).

Though the indigenous peoples of Indochina are vastly outnumbered by the region's dominant populations, the Khmer (in Cambodia), the Kinh (or ethnic Vietnamese, in Vietnam) and the Lao (in Laos and neighbouring Thailand), they occupy a much larger share of the land. While the latter have traditionally lived in the fairly densely populated alluvial and coastal plains, the indigenous peoples have settled the extensive hills, mountains and upland plateaux that cover the largest part of Indochina (see map).

The Present Situation

The Constitutions of Laos and Vietnam provide for the equal rights of ethnic minorities to their cultural traditions. In Laos, the Constitution explicitly forbids discrimination between ethnic groups and mandates the State to promote unity and equality among them and to "carry out every measure necessary to continue to improve and raise the economic and social status of all ethnic groups" (ILO 2000:39).

In Vietnam, a quota system ensures minimal access of ethnic minority students to higher education, and there are protected political representations at the local and national level (in fact, they are numerically over-represented in the National Assembly). However, a selective education and recruiting system ensures Kinh-dominated party control. And while local government offices in communes and districts with a majority of indigenous peoples are also held by members of their communities, the more powerful positions at provincial (or sometimes district) level are usually held by Kinh.

In Laos, the current ethnic minority policy was formulated in the "Resolution of the Party Central Organization Concerning Ethnic Minority Affairs in the New Era" of 1992. In a policy study on ethnic minority issues commissioned by the ILO, the authors conclude, "Ethnic Minority Policy, as it now stands, is in fact adequate and in accordance with the spirit of ILO Convention No. 169" [Convention Concerning Indigenous and Tribal Peoples in Independent Countries; c.e.] (ILO 2000: 47).

However, the authors also identified controversial

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areas, referring to - in particular - programmes and projects "which involve land allocation and stabilization of shifting cultivation, resettlement, and village consolidation" (ibid.:40). They see this, however, not as stemming from the policy itself but from "planning and implementation carried out in a manner that is either contrary to policy or a misinterpretation of policy" (ibid.). And they find the following lacking in Lao policy: in-depth consultation with minority groups, respect for traditional land use practices, study of cultures and belief systems and inclusion of minority leaders in the planning process (ibid.). They also refer to shortcomings regarding language policy (ibid.:47).

While constitutional provision and general policy in Laos and Vietnam may provide a favourable framework for the protection of the rights of indigenous peoples, specific legislation is either weak or ambiguous, and there are a number of other policies and government programmes that work counter to their rights and interests.

Prejudices and ignorance of the culture and living conditions of indigenous peoples, ultimately rooted in the widespread ethnocentrism existing among the dominant ethnic groups, are as much a cause of misguided government programs as competing interests. The programs to protect forests and reduce shifting cultivation through resettlement of indigenous highland communities in Laos and Vietnam are obvious examples (see article by Brigitte Junker). In some cases, the true reasons behind the resettlement of communities, as in the case of the Heuny on the Boloven Plateau of Southern Laos (see article by Nok Khamin), are not clearly evident and leave considerable room for speculation and suspicion.

Cambodia's "General Policy for Highland Peoples Development", which was drawn up by the Inter Ministerial Committee for Highland Peoples in 1997, still remains no more than a draft. And the commission itself is at the moment barely functioning. Local NGOs and international organisations managed to have a special section on indigenous peoples' communal land rights included in the draft of the new land law. But the law still has to be approved by the National Assembly. A separate community forestry law is being drafted alongside the new forestry law. But the outcome of this is also uncertain. The unclear situation with regard to land and forest use and tenure rights causes much insecurity. Meanwhile, concessions for logging and plantations have been, and continue to be, granted over huge areas of indigenous lands.

Due to the civil war in Cambodia and Laos' political and economic isolation, the indigenous peoples in these countries have until recently been spared the large-scale encroachment onto their lands caused by commercial exploitation of natural resources, hydroelectric dams, plantations or migrant settlers. But with peace in Cambodia and the economic opening-up of socialist Laos, the situation is now rapidly changing (see articles by Nok Khamin, Sara Colm and Conny van den Berg). And in Vietnam, massive transmigration programs, large scale logging and land conversion for plantations operated by State-run enterprises on indigenous peoples lands have been going on for decades. Government transmigration programs have been stopped but spontaneous migration, especially to the Central Highlands, has developed into an uncontrollable flood. And under the government's land and forest allocation program it is very difficult for communities to have communal land rights recognised.

The situation of Indochina's indigenous peoples is rapidly approaching that of their brothers and sisters elsewhere in Asia. Confronted with a discriminatory attitude among the dominant population and government officials, they are experiencing intense pressures to assimilate, along with the loss of their lands and resources and increasing poverty. The positive elements in the existing legislation and policy are overruled by the primacy given to national development and modernisation. Economic and development policies are increasingly determined by vested interests buttressed by developmentalist ideology. Informed by crude evolutionist thinking, the problems experienced by indigenous communities as a result of national development policies are often dismissed as unavoidable, as the price they have to pay for progress. Something all too well-known in other parts of Asia, and the world.

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By Gary Yia Lee

BANDITS OR REBELS? HMONG RESISTANCE IN THE NEW LAO STATE

On the evening of 31 March 2000, the relative calm of Vientiane, the small dusty capital of Laos, was shattered by a bomb blast in a crowded Korean restaurant with the quaint name of "Khob Chai Deu" (Thank You Yes) in the central part of the city. It was a grenade reportedly thrown by two men on a motor cycle, injuring two local Lao diners and eight foreign tourists (mostly British and German), two of them seriously. A second bomb went off five days later next to a government-run hotel, a few hundred metres from the scene of the first explosion, followed by a third bomb a few days later. Then, a fourth bomb exploded in the busy Morning Market on May 28, injuring 15 Lao civilians.

The Government explained the first explosion as the result of personal business rivalry but offered little information on the other incidents or their perpetrators. Following the 28 May blast, however, it finally declared a national alert. A fifth bomb went off on 7 June 2000, and other bombs were reported to have been found at the airport and near the Vietnamese Embassy. These events finally prompted the Lao Prime Minister, Gen. Sisavath Keobunphanh, to state that he believed the incidents to be the work of Hmong living in other countries who had returned from exile to carry out a campaign "to disturb the government and people" of Laos (*The Nation*, 9 June 2000).

The *Bangkok Post* (1 July 2000) also reported that the Lao Ambassador to Thailand, Mr Hiem Phommachanh, attributed the bombing to "foreign-based Hmong" under

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Hmong living in Vietnam (left) and Thailand. Photos: Christian Erni

Gen. Vang Pao, a former military commander of the Royal Lao Government (RLG) who opposed the communist Pathet Lao (PL) from 1961 to 1974 with the support of the American Central Intelligence Agency (CIA). Vang Pao was seen as "the only resistance leader still critical of the Lao government and soliciting support" from foreign countries. He now lives in America as a refugee. These assertions seem to be based on the fact that the Hmong had reportedly been intensifying their resistance activities in Borikhamsay and Xieng Khouang provinces since October 1999 and were said to be engaged in shooting and burning houses in Muong Khun, the former Xieng Khouang town in the north-east of the country at the time of these bombings.

Diplomats in Vientiane, however, had a different explanation and saw the bomb explosions as the result of internal disputes between PL leaders vying for control of power and business opportunities. The incidents were designed to create instability in the government, which has been beset by lack of political reforms and economic problems. Those in power are said to be split into two groups. President Khamtay Siphandone and other elderly hard-liners reportedly want to align Laos with the Vietnamese communist government in Hanoi while a second group prefers more economic opening to the outside world. Officially, the Lao government does not admit to this division within its ranks and insists that internal conflicts are impossible because the country's security is so tightly organised that only exiled Hmong in the United States could have been behind these incidents. How accurate is this assessment?

To examine the reasons for the Lao government's assertions and its attitudes towards the Hmong, it is necessary to delve back into the recent history of Laos, its long struggle for independence from foreign control and the role played by the Hmong in this process.

Hmong Resistance in Lao History

The history of Hmong resistance in Laos goes back a long way, to well before the Lao civil war that ended in 1975 and its subsequent aftermath. After their migration from southern China in the last half of the 19th century, partly pushed by the Chinese Taiping Rebellions and partly as a result of their search for new farming lands, the Hmong settled in increasing numbers in the Samneua, Phong Saly, Luang Prabang and Xieng Khouang provinces of Laos. They soon found themselves paying double tax after Laos became a French protectorate in 1893: a traditional tax to the local Lao chiefs and a new one to the French authorities in the form of silver coins and opium levies. This tax burden caused Hmong leaders in the Nong Het area near the Vietnamese border to organise an ambush against tax collectors in 1896 at Ban Khang Phanieng in Muong Kham, Xieng Khouang province (Yang Dao, 1975: 46).

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The French viewed the situation seriously enough to agree to negotiate with the recalcitrant Hmong, resulting in the establishment of Hmong *Tasseng* (or canton chief) positions which were accountable directly to the French colonial administration. The first Hmong Tasseng was given to the chief negotiator, Kiatong Mua Yong Kai (Muas Zoov Kaim) in Nong Het, and a second Tasseng was created near Xieng Khouang town for Ya Yang Her (Zam Yaj Hawj). This new arrangement would allow all Hmong leaders to collect taxes from their own people and they would have their own autonomy in local village administration, bypassing Lao officials at the Tasseng and Muong (or district) levels (Savina, 1924: 238). This was to affect later Hmong involvement in the political events of Laos greatly, for it gave the Hmong leadership a tendency to prefer to deal directly with Western allies (be they French or American) instead of the Lao, primarily because of a basic distrust of Lao authorities based on these early administrative conflicts.

The Hmong again rose up in revolt against the French with the Pachai (Batchai) Vue messianic movement - the first of many revivalist cults that gave rise to the *"Chao Fa"* or Lord of the Sky resistance group today. Pachai was a Hmong living in North Vietnam. He was inspired to lead the revolt from 1918 to 1921 out of a strong mythical belief that God had called upon him to deliver the Hmong from unjust treatment by local foreign warlords. The uprising was originally aimed at Thai Dam (Black Thai) mandarins who conscripted Hmong men from their highland settlements to work as free labour for them in the lowlands and who also levied opium tax on the Hmong. However, it soon spread to include French colonial targets when French soldiers became involved in putting the uprising down. They drove Pachai to seek refuge in Laos where he attracted a larger group of followers. It was claimed that the rebellion at its peak covered a territory of 40,000 square kilometres, spanning from Dien Bien Phu in Tonkin to Nam Ou in Luang Prabang, Laos, down south to Muong Cha (now renamed Saisomboun) north of Vientiane, and going north-east to Sam Neua. Many Hmong took up arms with Pachai either out of their own personal grievances against lowlanders or in the fervent belief that they were part of a holy war foretold in many of their myths to regain the country they had lost long ago.

In China, the Hmong had staged many such bloody uprisings through the centuries against Chinese domination, based on a belief in the coming of a mythical king and a new Hmong kingdom (Tapp, 1982: 114-127). As stated by Gunn (1986: 115), the largest military expedition ever organised in Laos "by that date was mounted to break Batchai's rebellion; four companies of tirailleurs were brought in from other parts of Indochina to restore order." Pachai was eventually tracked down and killed in his hide-out in Muong Heup, Luang Prabang, on 17 November 1921 (Le Boulanger, 1969: 360). Following his death, many Hmong rebel leaders surrendered and were decapitated at Nong Het by the French in front of Hmong spectators who were forced to assemble there. Other supporters of the revolt were required to pay compensation to the French at fifty piastres "for every Lao or Vietnamese (soldier) killed, not including compensation for loss of houses, cattle and crops" (Gunn, op cit.: 120) . Altogether, 375 kilograms of silver bars and coins were collected from the Hmong. Many who could not pay had to sell or pawn their children and possessions.

From these early dissident experiences, the Hmong progressed to full participation in the struggle against the French and the subsequent Lao civil war during the Vietnam War period. Rivalry between the Lo and Lee clans in Nong Het for the position of the local Tasseng chief split the two groups into bitter enemies when the French gave it to Touby Lyfoung in 1939, following the death of its incumbent, Lo Bliayao (Chongtoua, 1998: 54): Touby Lyfoung thereafter became a capable Hmong leader who was to remain faithful to the French and their right-wing Lao supporters to the end of his life. During the Japanese occupation of Laos in 1945, Faydang, one of Lo Blaiyao's sons and Touby's rival, made contact and sided with the leaders of the left-wing Lao Issara (Free Lao) Movement under the leadership of Prince Souphanouvong. The Lao Issara, later known as the Pathet Lao (PL or Lao Homeland), was to become the main nationalist group that led the fight for independence from French (and later American) domination of Laos with the support of North Vietnam.

The Pathet Lao depended much on Faydang's Hmong and other hill tribes for its main human resources in the jungles of north-eastern Laos. According to Stuart-Fox (1997: 79-80), the movement relied on ethnic minorities for its initial support bases because it had "little opportunity to mobilize lowland Lao", which was firmly controlled by its opponent, the Royal Lao Government. From the outset, the Pathet Lao had thus tried to adopt egalitarian relations with ethnic groups, as well as adopting a well-defined policy regarding national identity and unity involving all ethnic minorities. These were later to be enshrined in the Constitution of the Lao PDR, which was promulgated in 1991. To continue to attract support, the Pachai rebellion, along with similar revolts by Khmu leaders in southern Laos, has been honoured as a symbol of the fight for independence from French colonialism by the PL Revolutionary Party who presently controls Laos. It has named one of its PL People's Army battalions as Krom Pachai, consisting mostly of Hmong. After the PL took control of Laos in 1975, Faydang was made Vice-Chairman of the National Assembly and later nominated as a "Hero of the Revolution".

General Vang Pao, third from left, at a meeting in St. Paul, Minnesota, USA in 1996. Photo: Gary Yia Lee

From 1949, when the French ceded control of Laos, to 1954 when it was given full independence, those Hmong who sided with Touby Lyfoung were fighting alongside the French as village militia and French colonial soldiers against communist Vietnamese troops who were helping their PL ally in the latter's expansion across the country. After the French left Indochina, the Americans stepped in to counter the spread of communism. The French helped set up the RLG and its army, which included many Hmong recruits, among them a young officer named Vang Pao who was later to become a General and the Commander of the Second Military Region in 1962 in north-eastern Laos, where most of the Hmong were living. When the Lao civil war was in full swing in 1961, Vang Pao was given the full support of the American CIA to set up the so-called "secret army" to combat the advance of PL troops. This support was to last until the Paris Cease-fire Agreement in 1973, which led to the dislocation and deaths of thousands of Hmong in the highlands of northern Laos. It was estimated that the Hmong then numbered 300,000, with about one third living in areas controlled by the PL and the remainder under the RLG. During this period, close to ten per cent of the Hmong population perished in the war as civilian victims or conscripted soldiers serving on both sides of the conflict.

Resistance or Rebellion?

After Laos changed hands in 1975, the Hmong under Gen. Vang Pao found themselves seeking refuge in the refugee camps in Thailand and were later resettled in Western countries such as the United States, Canada, France, Australia and Argentina. More than 200,000 of them are now part of this diaspora, including about 30,000 scattered in various locations in Thailand as illegal residents. A large number of more than 20,000 who could not escape to Thailand in the years immediately after 1975 have adapted themselves to life under the new regime, which became known as the Lao People's Democratic Republic (Lao PDR). Many of their leaders, police and military officers under the old RLG were taken to re-education camps where they remained for many years, some never to return. More than 15,000 Vang Pao followers, ever distrustful of the new authorities, went into hiding with their families deep in the jungles of Phu Bia, the highest moun-

tain of Laos, and other adjacent areas from where they have continued to wage a constricted war of resistance against the Lao PDR government (Lee, 1982: 212-214).

At first, the new government tried to talk the Hmong into joining in the new political life and socialist economy of the country through face-to-face discussion, leaflet drops and radio propaganda broadcasts. However, after many frustrated efforts, it resorted to armed suppression following increasing ambushes of Lao army convoys and troops by the Hmong along Route 13 and the road linking Vangvieng and Vientiane in 1976. The Hmong reportedly used arms and ammunition left hidden by Vang Pao in the Phu Bia region, and later captured weapons from their enemy or took them from dead government soldiers. As these ambushes became more widespread and government troops proved ineffective in stopping them, four regiments of Vietnamese troops were sent into the Phu Bia area in 1977 to crush the rebellion, causing thousands of Hmong to flee to Thailand, 2,500 arriving in December 1977 alone. Aerial chemical bombardment was also alleged to have been used on the rebels by the Lao government (Yang Dao, 1978), but this has proved difficult to confirm (Evans, 1983).

It was estimated that only 3,500 Hmong in the Phou Bia area were involved in armed resistance against the government, compared to the 150,000 living in the country at the time (*U S News and World Report*, 2 June 1980). At least 1,300 of the rebels were reported killed in 1977, although Vang Pao claimed from his exile in the US that 50,000 Hmong died from Lao government chemical poisoning between 1975 and 1978, with a further 45,000 perishing "from starvation and disease or shot trying to escape to Thailand" (Hamilton-Merritt, 1980: 37). Casualties on the government side were also said to be heavy, including two Soviet helicopters and four crewmen in 1976, in addition to "serious losses suffered by Lao military personnel"(*FEER*, 10 September 1976).

Since 1977, the Lao government has carried out many intermittent suppression campaigns and its casualties continue to be heavy - with some military units reported to be nearly wiped out in ambushes by the Hmong, and a group of 200 Lao soldiers in the Vangvieng area allegedly killed by mistaken aerial bombardment from their own air force MIG bombers in 1988. In December 1997, the "Chao Fa" were said to have eradicated all but one member of a company of government troops near Khang Khai south of the Plain of Jars. Hmong civilians are also targeted, and many have died from attacks on villages or ambushes by both sides. Visitors to Laos in 1998 reported that the "Chao Fao" now claimed to occupy the following areas: (1) Muong Mai, Thasi, Pa Na, Nam Hia, Na Kong, Phu Makthao, Chomthong and Muong Sa in Borikhamsay Province; (2) Khang Khai, Tha Papang, Nam Tao Samseng, Phu Bia, Muong Mork, Phu Nanon and Samthong in Xieng Lhouang Province; and (3) Phu Kongkhao and Phu Nhay in Luang Prabang Province. Hmong and other inhabitants in these places were said to be living in fear, not knowing which side to align themselves with.

Hmong resistance fighters, albeit uncoordinated and lacking in external support, thus seem to have continued their deadly activities to this very day. The movement has been kept alive by the fiercely anti-communist stance of its followers and other factors, not the least of which is the fact that Hmong civilians who have rallied to the Lao PDR authorities have reportedly been taken to resettlement villages in the lowlands where many of their leaders eventually mysteriously disappear or are imprisoned, depending on the decisions of Lao military officials. A number of Hmong leaders who voluntarily repatriated from the refugee camps in Thailand also disappeared, were allegedly murdered or put in prison. Among the returnees who disappeared was Mr Vue Mai. He was the camp leader at Ban Vinai, the largest Hmong refugee camp in Thailand with more than 40,000 residents before it was closed in 1992 following pressure from the UNHCR and the Lao PDR government, who believed it to be the support base for many resistance groups inside Laos.

The Lao Government has continued to try to get more Hmong involved in the resistance to "come out" from their jungle hide-outs and lead "a normal life". Apart from military suppression, it has tried various development projects, chiefly in the "Saisomboun Special Zone", which was established in 1994 north of Vientiane in an area formerly known as Muong Cha under the old Royal Lao Government. This is the area closest to Phu Bia, the base of most of the "Chao Fa" groups. It hopes to make Saisomboun the centre for political and economic development in order to attract Hmong resistance into the folds of the Lao PDR authorities by withdrawing lowland ethnic Lao personnel from the area and putting Gen. Bounchane (a Khmu who successfully suppressed many "Chao Fa" Hmong in the late 1970s) in as the local military commander, with Col. Lo Lu Yang (a PL Hmong) as deputy commander and Mr Siatou Yang (another Hmong who was formerly the Chao Muong or district governor at Moung Hom) as the unification coordinator. The Special Zone covers the districts of Muong Phoun, Muong Hom, Muong Cha and Long San. The Lao authorities are now putting Hmong to work alongside dissident Hmong in order to try to bridge a deep political and cultural divide between them.

There is no doubt that the Government believes it best to have the Hmong deal with each other over this long-standing political issue. This does not seem, however, to have assuaged the anger of the so-called Hmong " bandits". They continue to ambush army convoys and even

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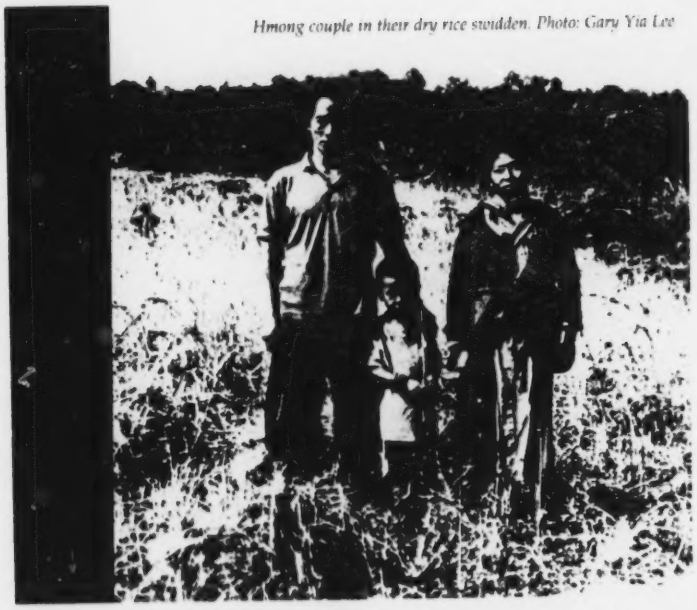

Hmong couple in their dry rice swidden. Photo: Gary Yia Lee

taxis travelling between Vientiane and Luang Prabang, or to and from Saisomboun. This has escalated since May 1998 into free-for-all shooting by Hmong government troops of "Chao Fa" villages, with the resultant armed retaliations on Saisomboun town itself. Whereas previously it was lowland Lao soldiers shooting at Hmong, now the Hmong are killing each other. It is said that many Hmong families have fled Saisomboun to Kilometre 52, the major Hmong settlement on the road linking Vientiane to Muong Phon Haung and on to Vangvieng. The latest overseas resistance propaganda from Radio "Hmong Voice" (broadcasting on the Internet in the US) claims that the Lao Government, in order to continue its campaign against the Hmong, is now "forcing and picking up hundred (sic) of children and young men age (sic) 13 to 25 for military service, especially Hmong and Khmu kids in rural areas" (*Hmong Voice*, 22 July 2000, at www.geocities/hmongvoice/).

The Lao PDR government has appointed Mr Tong Yer Thao, the Vice-Chairman of the United Lao National Reconstruction Front (previously known as the Pathet Lao Revolutionary Front) to negotiate with resistance leaders and to be responsible for the resettlement of former Hmong rebels in the Muong Kao area, Borikamsay province, where they are given lowland wet rice farming land and other forms of assistance. Despite these efforts, the government has not been able to assist with inquiries or explanations regarding the disappearance or mysterious deaths of Hmong leaders who have "come out". This has deterred many of the rebels from finally laying down their arms, reinforced by a strong belief that the Hmong expatriates in America and other Western countries will come to their eventual rescue based on propaganda from overseas Hmong resistance groups, broadcast from Radio Free Asia and other covert means of contact. In a sense, the Hmong cannot be said to be rebels against the Lao PDR government, as these dissidents have never joined the new regime. They have chosen to resist by isolating themselves in their mountain fastnesses and refusing to be under the control of the new authorities.

The rebels seem to strongly believe that the current Lao government is no more than a puppet of the Vietnamese politburo, the real colonial master of Laos, a belief fed by a continuing similar political position amongst Hmong resistance groups in America. This ideological stand, stemming also from their past involvement with the Royal Lao Government and the CIA-financed secret army, has prevented the resistance leaders from having any trust in the pronouncements and overt intentions of the new Lao PDR officials. The Lao government, on its part, has tried to hide the problem from the outside world by dismissing Hmong resistance activities as being merely the work of armed "bandits" and "highway robbers". This has also made it easy for real Lao bandits to kill and loot whilst blaming the "Chao Fa" Hmong for their deeds. Lao officials have accused overseas Hmong refugees of trying to create instability in Laos but have never acknowledged the existence of this twenty-five year long rebellion by Hmong living inside the country. The international media and the diplomatic corps have been barred from visiting areas undergoing suppression campaigns by Lao and Vietnamese troops or under the control of the real "Chao Fa" Hmong rebels.

Who Are Involved?

In 1976, the two major groups of rebels in Phu Bia were under Mr Yong Youa Her (Ntxoov Zuag Hawj), a former sergeant in Vang Pao's secret army, and Mr Xai Shua Yang, a former Tasseng (canton chief) at Pha Khao, east of Long Cheng that used to be Vang Pao's former headquarters. Yong Youa joined a Hmong revivalist movement in 1972 which, amidst all the suffering sustained by Hmong refugees in the Lao civil war, was advocating the formation of a "true" Hmong society, in anticipation of the return of the legendary Hmong king who would rescue the movement's followers from oppression by other groups. Under Yong Youa's military guidance and messianic leadership, the resistance movement soon became known as "Chao Fa" (a Lao term meaning "Lord of the Sky or Heaven" or God).

As stated by Lee (op.cit.: 213), Yong Youa's

> leadership attracted a large number of Hmong, and at one stage he was said to have an "army" of 400 or 500 men, operating in units of 20 to 50 against PL forces. Using their claim to invulnerability and God's guidance, they went to war full of religious fervour, carrying old rifles and their own flag.... They used their weapons sparingly and only when sure of their aim, in order to preserve ammunition. When they ran out of necessary supplies, they took what they needed from their victims.

In 1979, Xai Shua Yang's followers had to split up into small bands, no longer able to withstand the shelling and gassing of their strongholds. A few months later, most of them reached Thailand with their families, leaving only Yong Youa and his "Chao Fa" freedom fighters to roam the thickets of Phou Bia in a hopeless resistance struggle for their promised Hmong kingdom. Yong Youa's movement was picked up in Thailand by a group of former "Chao Fa" adherents, headed by Pa Kao Her. For a time, the group gained support from China, which supplied it with arms and military training from 1979 to 1980, following the 1979 border war between China and Vietnam, the Lao PDR government's primary ally. The Thailand "Chao Fa" followers established their base in Nan, near the border of Laos and launched intelligence and armed operations into Sayaboury province in Laos as well as Phu Bia where Young Youa and his followers were stationed. Today, however, the group in Thailand has dissolved into virtually small elements, due to lack of overseas support and a crackdown by the Thai government, acting on border security agreements it signed with the Lao PDR government in 1994. By 1998, Yong Youa also seemed to have pinned his hopes on Vang Pao to return to the jungles of Laos and help him with the resistance, declaring in a video message that "I am continuing the fight for you and we are all suffering from your dirty legacy (of cooperating with the American CIA)".

In 1981, Vang Pao established the United Lao National Liberation Front (ULNLF), based in Santa Ana, California. The Front was supported by a number of prominent former RLG political and military figures such as Sisouk Na Champassak (former RLG Minister for Defence), Gen. Phoumi Nosavanh (the liberator of Vientiane during its occupation in 1960 by Lao Neutralist forces under Captain Kong Le), Gen. Thonglit Chokbengboun, Mr Outhong Souvannavong (elderly statesman and a former minister of the first Lao cabinet after independence from France in 1954), and a number of other right-wing Lao politicians. They formed a government in exile, with Souvannavong as Prime Minister and Vang Pao as Minister for Defence (Chan, 1994: 47). Members of the Front traveled frequently to different countries sheltering Lao émigré communities in order to promote their organisation and gain support. They were able to increase its membership and financial donations greatly between 1982 to 1992. The Front also established its base in Thailand within the Hmong refugee camps, especially in the former Ban Vinai camp in Loei. It also had the cooperation of Thai army border intelligence units, which were using the Hmong refugee resistance fighters to collect military information inside Laos for Thailand. At the time, Laos and Thailand had not opened up to each other, and the Thai were still treating the new Lao regime with suspicion, depending mostly on refugees from Laos for any border military information.

By 1985, Vang Pao's ULNLF had penetrated deep inside Laos, with many contact points established in the jungles of his former RLG Second Military Command area in north-eastern Laos. It also tried unsuccessfully to make headway into central and southern Laos but found the going difficult as most of Vang Pao's operatives were Hmong, while the Lao resistance groups continued to squabble with each other and to do most of their fighting verbally against the new Lao authorities from the comfort of their armchairs overseas in France, America or Australia. By 1992, however, the ULNLF - like other resistance groups based among the Lao refugees in Thailand - fell victim to the Thai-Lao rapprochement. The Lao PDR government, mindful of the use of Lao refugee camps as the staging points of the overseas resistance groups, made overtures to the Thai government in an effort to bring the two countries closer together and to root out these dissident operations. Vang Pao, who used to be able to spend much of his time in Thailand, was no longer welcome there and he had to content himself with calling the tune from America. Nor could he any longer make radio contact with his supporters in Laos the way he used to, thus gradually losing ground on the resistance.

The Foreign Connections

• The Role of Thailand

Because Thailand had been the refuge for more than 300,000 refugees since the PL took control of Laos in 1975, it became the base for many of the resistance groups, which operated inside the refugee camps. Resistance fighters in Laos became better co-ordinated and were even in regular radio communication contact with supporters in Thailand. This support was very ad hoc, however, and only exposed the resistance groups to greater danger of discovery. When the Thai and Lao PDR governments commenced negotiations on border security in July 1994, these

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In a Hmong village near Vang Vieng. The village was established by the government of Laos for Hmong refugees who were repatriated from Thailand. Photo: IWGIA Archive

resistance support networks were dismantled and their members dispersed or imprisoned. By now, Thailand also had new changes of governments and military commanders, who had developed new attitudes towards a Laos that was beginning to open up its market to the free economy of Thailand and other nations. The older diehard anti-communist elite of Vang Pao's generation was gone. Many of the new people in command in Thailand did not even know who Vang Pao was, although he used to be its closest ally during the Lao civil war and the fight against communism in Laos throughout the 1960s and the early 1970s.

The new Thai authorities began to arrest Lao and Hmong refugees suspected of being involved in supporting resistance activities inside Laos, and those from America were stopped and turned back at the airport in Bangkok. By 1992, virtually all three Hmong refugee camps (Nam Yao, Chiang Kham and Ban Vinai) had been closed, with more than 20,000 of their residents repatriated "voluntarily" (by UNHCR accounts) to Laos. With the closing of the refugee camps in Thailand, the resistance groups in Laos have been on their own since 1993. The remaining Hmong refugees who had not been repatriated or accepted for resettlement in Western countries, fled to live at Tham Krabok (a large Thai Buddhist drug rehabilitation centre and temple in Saraburi province, north of Bangkok). Others were dispersed into various parts of northern Thailand, or were relocated to Ban Napho camp in Nakhone Phanom, the last camp scheduled for closure by the UNHCR in December 1999.

- **The US Connection**

As the country responsible for supporting the Indochina War, America was also recipient of the biggest number of Indochinese refugees following their exodus from Vietnam, Laos and Cambodia in 1975. The number of refugees from Laos accepted for resettlement in the US is estimated at more than 350,000 with two thirds being Hmong. Vang Pao was among the first to resettle there. As stated earlier, he and Phoumi Nosavanh (a former General in the Royal Lao Army exiled in Thailand) set up the United Lao National Liberation Front (ULNLF) in 1981 in America, with affiliates among Lao refugees living in France and Australia. The Front and other resistance groups have also lobbied the American government for support and for political or economic sanctions against the Lao government. This is despite the fact that US Secretary of State Madeleine Albright has clearly stated that the US Govern-

ment "does not support the Laos Resistance Movement" (*Business Day*, 31 July 2000).

Regardless of the official American stand, much of the support for resistance groups and their morale still emanates from the US, largely because of the huge number of expatriates from Laos in that country who act as a source of financial donations and because of the presence of Vang Pao, Laos' major enemy. He was sentenced to death in absentia by the new Lao government in 1975, but he continues to represent a threat to the Lao regime. Judging from public statements made by Lao officials, there is no doubt that Vang Pao still commands fear among the Lao authorities, although he has vehemently denied being involved in any resistance activities in Laos or the recent bomb explosions in the Lao capital (Asia.dailynews.yahoo.com, July 29, 2000). The Lao government accuses the Hmong in America of continuing to send arms and money to resistance groups in Laos. It claims that six Hmong Americans were caught in this act at Nong Khai province in Thailand just across the border from Vientiane in January 2000 (*Far Eastern Economic Review*, 6 May 2000). Two Hmong men from America visiting northern Laos had also disappeared in 1999, although the object of their visit was never made clear. Overall, many Hmong in America still have relatives in Laos and often send them large sums of money - an activity regarded with suspicion by Lao officials. Many of them also visit Laos each year as tourists or on business - again making the Lao authorities suspect that some of them use these visits as a front for politically subversive activities.

- **The Chinese Connection**

Before Xai Shua Yang's escape to Thailand in 1979, rumours were already circulating of Hmong resistance bands harassing Lao troops near the border between China and Laos. Pa Kao Her, the "Chao Fa" Hmong leader in Thailand was also said to have sent 100 young Hmong for military training in southern China. Vang Pao was alleged to have made contact with Chinese leaders in August 1978 (*FEER*, 1 September 1979). Following the capture of a few dissidents bearing Chinese weapons, one prominent Lao official openly commented that "the Chinese have mobilized some Hmong and Lu minority people for a movement against our government" (*FEER*, 8 December 1979). However, there is no conclusive evidence on the extent or effectiveness of China's use of tribespeople to interfere in Lao internal affairs. The Lao government is also mindful of this possible threat and has made occasional high level friendship visits to China each time Hmong resistance activities increase, the latest being a State visit by the Lao Deputy Prime Minister to Beijing and another Lao delegation to Yunnan province bordering Laos in July 2000.

- **The Vietnamese Factor**

The Lao Government's recourse to Vietnamese military intervention every time the Hmong rebels intensify their activities has not helped to quench the resistance movement, but only to reinforce their claim once more that Laos is but a colony of communist Vietnam, although Vietnam denies any involvement by saying that Laos is a country capable of looking after its own security. Resistance sources, however, claim that two battalions of Vietnamese troops have been in Laos since October 1999 (Hmong Voice Radio, 22 July 2000). In any case, a high-level provincial delegation from Xieng Khouang, the seat of most of the Hmong resistance activities, visited Hanoi on 13 June 2000 - shortly after the spate of bombings in Vientiane. The visit was headed by the province's Communist Party deputy secretary, Mr Sivongya Yangyongyia (a Hmong). The group met with the powerful external relations commission of the Vietnamese Communist Party (Agence-France Press, 14 June 2000) with the aim of "strengthening relations between the two parties".

Hmong Voice Radio, however, (22 July 2000) sees the visit as punishment of the PL Hmong leadership in Xieng Khouang for being too weak and lenient by allowing Hmong dissidents to shoot government officials at random, to burn houses and to kill innocent villagers. The party leadership was thus called to Vietnam to get a lecture. The resistance fighters also claim that these killings were carried out by racist and corrupt Lao officials who then blamed them on the Hmong. Many armed highway robberies allegedly committed by the "Chao Fa" Hmong have been discovered to be the work of local Khmu and Lao government troops or village militia. It is difficult to know the truth in the face of this contradictory propaganda.

These foreign influences play an important part in maintaining the survival of the resistance movement and keeping up its morale both inside and outside Laos. As long as these factors remain, Hmong resistance is likely to continue because these influences seem to work for and against each other, reinforcing the ideological stands and resources of the parties involved in this long drawn-out conflict. Only time will tell how long this will continue in the years ahead.

The Future

The Lao PDR government has quietly tried to solve the problem of Hmong resistance in the backwaters of its jungles in northern Laos. It has tried to deny that such resistance exists by branding dissidents as "bandits" rather than acknowledging them for what they are. It has

made prominent reference in the country's Constitution to ethnic minorities as inseparable groups in the make-up of the Lao nation's unity, who are accorded equal rights and obligations. It has established the Saisomboun Special Zone as a show-case development site for the Hmong in order to attract Hmong rebels. There are now Hmong district and provincial governors, Hmong deputies in the National Assembly and even a Hmong Minister (for rural development) in the current Lao government. Many Hmong are now in middle management in the Lao public service, more than under the old right-wing Royal Lao Government. A group of Lao soldiers who arrested and killed a number of Hmong civilians a few months ago in Saisomboun were reportedly executed by their local commander in front of survivors as an example of what is not allowed by the Lao government.

However, die-hard resistance groups appear to continue their activities, albeit sporadically, and to distrust the government. Apart from political differences, there seem to be other equally important factors involved in the equation, including racial discrimination of ethnic minorities by private Lao citizens, poverty and high inflation, ripe official graft and corruption, lack of economic and employment opportunities leading people to be easily susceptible to alternative political propaganda, resentment for lack of promotion and forced retirement of Hmong communist party supporters, alleged framing of Hmong officials for drug trafficking and other crimes leading to their arrest and imprisonment in order to deprive the Hmong of their leadership, murder and mysterious disappearances of repatriated Hmong refugee leaders and resistance leaders who rallied to the Lao PDR government.

These factors, together with political influences or material support from the diaspora of Hmong outside Laos, will continue to make it difficult for the Hmong resistance movement to stop its activities. The ultimate aim of some resistance groups is the total overthrow of the current Lao communist government, while others content themselves with simply causing disruption in order to force the Lao authorities to change their political course towards a more democratic and freer regime with a multi-party political system replacing the current totalitarian one-party state. In its attempt to cling to power, the Lao PDR government seems intent on rooting out the resistance by force as well as political persuasion and economic development projects. With such divergent views on the situation, it will be difficult to find viable and enduring solutions to the problem, as long as the current proponents of these conflicting views remain active on their home grounds.

Regardless of this continuing thorn in the side of the Lao government and the resistance leadership, we need to keep the problem in perspective. There are currently 315,465 Hmong living in Laos according to the 1995 Lao government census, representing 6.9 per cent of the total population of the country. Of this number, less than 5,000 are actively involved in the resistance, and their number ebbs and flows according to their fortune and the action of the Lao government at any particular time. The number is small, but the Lao authorities will need to resolve many of the causes of this discontent before it becomes too widespread to do anything about it. The problem is real and cannot be ignored or simply rooted out by force, as there are many underlying social and economic factors involved, not just political ideologies.

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THE BLESSINGS OF THE POPPY:

OPIUM AND THE AKHA PEOPLE OF NORTHERN LAOS

By Michael Epprecht

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The amount of rice we expect to harvest in November will probably last for about five to seven months," calculates Cho Chae, the village chief of Ho Leh*. "If the harvest of the poppy crop we plant now is a good one, the farmers of the village will have less difficulty in feeding their families for the rest of the year," he explains.

The upland rice in the fields of the village stands as good as in any average year. Nevertheless, unfavourable weather - especially during the harvest time - can still jeopardize the outcome of the crop.

In the "Golden Triangle"

Ho Leh lies about 1200 meters above sea level in the far north-west of the Lao People's Democratic Republic, or simply Laos. The people of the village belong to the ethnic group called Akha, one of the many ethnic minorities living in the mountainous tri-border area of Thailand, Burma and Laos, a region which gained a mysterious and sometimes shady reputation that became internationally well known as the Golden Triangle. Reports of dubious warlords controlling the local drug trade still inspire the fantasies of many western adventurers.

Indeed, poppy is grown in large parts of this area, a plant whose seed pods produce a sap containing opium, the basis for heroin production. So it is also in Ho Leh, where every household maintains its own poppy fields. In January, when days are cool and rain is rare, the fields surrounding the village stand in full flower. The beautiful white and purple flowers sway chest-high in the fresh wind while farmers busily weed unwanted plants out.

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However, not all villages of the Golden Triangle engage in opium production by any means. The climatic conditions of the lower lying areas are not favourable for the poppy plants. The Lue for instance, who live predominantly in the fertile valleys, manage to grow wet rice on partly irrigated fields in the dry season too - the typical poppy-growing season - and therefore do not feel the same pressure as the upland farmers to engage in opium production.

Marginalized from the General Development of the Country

While the Akha people form a majority of around 55% in the Muang Sing district as a whole, the Lue are in the vast majority in Muang Sing town, the capital of the district. Thanks to their economic superiority, it is also the Lue who hold the political power in the area. Not least because of their possibility of growing wet rice on the partly irrigated fields, they also have much greater economic power than the other ethnic groups living in the district.

The small town, which lies only a few kilometres by a good road from the Chinese border, is an important trading centre for the region. Nevertheless, for the Akha living in the mountains around Muang Sing, the town plays only an ancillary role in their economic life.

In order to get from Ho Leh to Muang Sing, a strenuous one-day walk through a rugged area has to be undertaken. There are no roads and horses are, for most families, too expensive considering their practical value. Only a few products are carried every few month to the market in Muang Sing, which then always also becomes a social event. They meet other Akha people of the region there, a few modern consumer goods such as torches and batteries are bought, and normally al least one night is spent in town.

However, the gap between the people of the mountains and the lowlanders is not only spatial in nature. While the valley dwellers speak a Thai-related language, the Akha speak a Tibeto-Burmese language, which is more closely related to Chinese. In Ho Leh, the village headman is the only one who speaks some Lao – the language of the lowlanders.

And it seems that the gap between the relatively well-off lowlanders and the sometimes extremely poor upland farmers is even growing: the pressure of population is also growing in the mountain areas, but a more intensive agricultural use of the steep slopes is, at least in the long-term, not possible given their traditional shifting cultivation method. However, the danger of over-exploitation of natural resources is ever present given that most farmers have no other alternatives. Decreasing soil fertility causes smaller harvests of rice and only increases poverty. Unsustainable use of natural resources in the mountains also causes problems in the valleys, stirring up already existing animosities and prejudices between the two peoples. Besides that, primary health care services are extremely poor in the mountains, and a program for primary education has started only recently thanks to the efforts of foreign development projects.

Opium for the People

The fact that poppy is grown in the mountains of northern Laos is well known. That the drug produced does not, as is generally assumed, reach the international market, is, however, less known. In-depth research has shown that not even ten per cent of the average total annual output of opium (around four to five tonnes) produced in the district is leaving the area. Too many opium addicts live in these mountains, and their addictions need to be satisfied: of the total Akha population of the area around Muang Sing almost 12% smoke opium on a daily base.

It is generally the lack of a primary health care system and bad access to medicine overall that are mentioned by the people concerned as the main reasons for the very high addiction rate. Indeed, opium is the only effective medicine available for them to fight mental and physical pains. Opium is therefore used as an all-purpose drug, which is very effective in suppressing many symptoms. However, there is also a high risk of user addiction inherent in this practice.

In Ho Leh, ten out of the twenty households of the village have at least one person addicted to opium. Three quarters of these addicts are male. Such numbers make Ho Leh average amongst the Akha villages of the area. Nor is it exceptional that the village headman, Cho Chae, is also an habitual opium pipe user several hours every day. For many years now, he has not worked the fields. His three sons, one of his two wives and one daughter till the soil. "I have tried many times to stop smoking opium, but I lose my vitality and my appetite and my body starts to ache," explains Cho Chae of his continued addiction. Asked about the amount of opium he uses each year the skinny man with the prominent cheekbones and the tired looking eyes replies, "About two kilos a year". A simple calculation reveals that even in a year with a good harvest producing up to 1.5 kilos, a season's crop of an average household is not enough to support the addiction of one household member for a full year. Additional opium therefore has to be bought from other families who do not house an addict, either from someone within the village, or from a family in any of the surrounding villages. With one water buffalo, two cows and three pigs, his household is relatively well-off. Through the sale of one or two pieces of his livestock, enough silver can be gained to buy half a kilo of opium. However, that such economy bears considerable risks is obvious.

A Vicious Circle of Poverty and Addiction

Nonetheless, only a small minority is in a position to 'solve' the household's addiction problem so comfort-

ably. In most households with an addict, either the addict himself, or at least as often, the wife or the daughter has to sell their labour and work on other families' fields in order to earn some money, or work to be paid in opium directly. Working temporarily on other families' fields against wages is common practice in Ho Leh. More than half of the households of the village have one or two persons working on other families' fields for silver, opium, or even rice. Per person and day, about ten kilos of rice, or – depending on the season – two to three saleungs (between five and eight grams) of opium are paid for the labour. The latter represents roughly a day's consumption for an addict.

However, as additional labour is especially in demand when labour intensive work on fields is at a peak, such as during rice planting or harvesting times, the fact that these people work on other families' fields means that much needed work cannot be done on the household's own fields. Consequently, only smaller fields can be prepared, and accordingly smaller harvests are the result. For many families, a few hundred grams of opium determines whether a family has enough rice for the whole year, or whether shortages are to be faced. However, due to high domestic consumption it is unfortunately often the case that the most important locally producible commodity with which to barter for rice is in short supply: opium.

Considering the commonly faced rice shortages, such circumstances can have severe repercussions, and are often the start of a dangerous vicious circle. Increased rice shortages and the resulting malnutrition weaken the general physical conditions of the people. In view of the very weak primary health care system, it is true that even relatively harmless illnesses can lead to serious health problems in both humans and livestock, and even to death. Loss of young family members – and therefore the work force, and diminishing livestock is not rare in the mountains of the region.

Apparently the only means to suppress these physical and mental pains is, again, opium. Addiction and hence a further aggravation of the rice supply situation closes the circle. Opium addiction therefore has to be seen as a huge problem for the whole of the household and even the village community as a whole.
From this perspective the Golden Triangle is not so golden for the mountain farmers of the region, and the 'blessings of the poppy' has little meaning for them.

Part of the Subsistence Economy

Nevertheless, the cultivation of the poppy and production of opium is an important element in the relatively isolated economy of the highland farmers, an economy that is primarily based on subsistence agriculture. If the addictive nature of opium did not backfire on its own population, poppy would be an ideal crop for this mountainous region and its farmers. The climatic conditions of the cool mountains are ideal for poppy, and the labour intensive tasks of tilling the ground, the repeated weeding of the fields and the harvesting fit well into the cultivation cycle of the local traditional upland agriculture. Unlike upland rice, poppy is cultivated in the dry season, and therefore conflicts with the labour demands of rice cultivation in only a very limited way. Furthermore, opium is easily storable and it even improves in quality during storage. As a commodity with high value in small quantities, it is easy to transport over difficult terrain with limited transport possibilities. Also, from an ecological point of view, poppy has several comparative advantages over other crops: The plant grows best on soils which are unfavourable for rice, and it exhausts soils to a much lesser extent than rice, for instance. As already mentioned, for most households today opium represents an indispensable product for trading important goods such as rice or modern medicine, if available. Against the backdrop of diminishing rice harvests on over-exploited soils, opium even gains in attractiveness as a crop to be traded for rice.

The Law and the Government's Stance

Since the middle of the 1990s, Lao law has prohibited the production, trade and consumption of opium. However, up to now, poppy cultivation in the mountainous areas is still tolerated by the authorities. A repressive drug policy, as has been implemented for many years in neighbouring Thailand for example, would indeed cause enormous problems. Without alternatives, repression would only aggravate the already widespread poverty in the mountains. In addition, such steps would most probably force the addicts to switch from opium to the much more powerful heroin, as the example of Northern Thailand has shown. Surprisingly enough, Laos has so far, at least in remote areas, largely been spared the problem of heroin addiction, despite wide problems in that respect in all neighbouring countries. It would indeed be unwise for this comparatively 'good' situation to be put at stake by misguided law enforcement.

At present, several development projects have at least one component focusing on reducing drug production and consumption through alternative development and detoxification activities. But the present tendency – very much due to the strong impact of the United Nations Drug Control Programme (UNDCP) policy on respective Lao policy making – goes much further in the direction of repressive law enforcement. The farmers will be given only a few years to abandon poppy growing before punitive measures are applied. The goal of the UNDCP is that by 2006 drug production on an agricultural basis will be eliminated.

A Curse Introduced by the West

It is often believed that opium production has been practised by the people of the Golden Triangle for hundreds of years. The fact is, however, that opium production and the highland farmers of the area were not originally natural bed partners: the drug has most probably been known in this region only since the first half of the 19th century.

It was largely European traders who introduced opium as a stimulant in imperial China on a large scale. Quickly, tens of thousands of Chinese addicts were eager to get more of the drug, and the western trading companies, first and foremost the British East India Company, secured a ready market. Nobody seemed to care that this trade was illegal in China at this time, nor were moral reasons an issue in Europe, where the economic benefits of this trade supported development and contributed to the increasing wealth of these nations. Goods from China were in high demand in Europe, and opium from India, where the British Crown held the monopoly over the opium business, was a much more economical means of payment than silver, the only legal good from the West that was in high demand in China.

In an act of despair, Chinese authorities confiscated 1200 tonnes of British opium and threw it into the harbour at Canton. What followed made history as the First Opium War, after which the defeated Chinese government was forced to legalise opium imports. Up to 1886, approximately 15 million Chinese were addicted to opium, representing almost a quarter of the population of China at that time and, for economic reasons, the imperial government saw itself forced to tolerate domestic opium production.

As in many other parts of China, poppy fields started to flourish also in the remote mountainous areas of Yunnan and Szechwan Provinces in Southern China. With the continuous migration of the ethnic minorities living in these mountains to Burma, Laos and Thailand, the knowl-

edge and the seeds for opium production were also brought south and were introduced into these countries for the first time in the late 19th century.

Once opium production gained a foothold in Laos, it was first the French colonial power that supported and controlled the opium business in Laos, before the American CIA got engaged in the opium trade during the Vietnam war.

What Next?

These times are well remembered by the older people of the indigenous highland communities, and they look back on that chapter of their lives with mixed feelings. In view of this historical backdrop, it appears even more grotesque that it is now the western nations in particular that support a more repressive approach to the suppression of opium production in the South and East, apparently in an effort to stem the flow of heroin to Europe and America. However, as we have seen, poppy is today an important agricultural product in the subsistence-oriented agro-economy of the indigenous highland farmers. Nevertheless, a solution to the severe addiction problem is urgently needed. Given that repressive measures would only increase poverty and marginalization in the highlands, the question arises as to how external assistance could help break the vicious circle.

Health problems, disillusion and depression as a result of poverty and a lack of medical services are the main causes of widespread habitual opium consumption in the mountains of the Golden Triangle. Lack of alternatives is the main obstacle to quitting engaging in opium production. Improvements in general living conditions, better access to medical and education services and a stronger voice for the minorities in the political decision-making process would significantly improve the overall situation of the Akha people of northern Laos. This, in turn, would increase the farmers' readiness to take the economic risk of abandoning opium production. Several foreign aid projects are active in helping to improve the situation. The main goal of many of these projects is to bring about improvements in the primary health care system, increase access to primary education services for minorities and improve extension services in the agricultural sector.

Intervention activities in the field of agriculture are aimed at introducing new but locally adapted technologies for a sustainable use of natural resources such as soil, forests and water, while at the same time bringing about an increase in food production. With measures such as the introduction of terracing and irrigation techniques, improvements in the general food security situation have already been achieved. Land titling in remote mountainous areas would also increase the readiness of farmers to invest in labour-intensive land improvement and conservation measures.

In the health care sector, the obvious question arises as to whether the introduction of modern medicine leads to a loss of valuable knowledge in indigenous traditional healing methods and medicine. However, it seems that in the Akha communities of northern Laos, most such traditional medical knowledge has already been lost, maybe not least due to the readily available opium. This fact should not, however, lead to a temptation to neglect traditional indigenous knowledge that is still in existence.

The main obstacles to an improved primary health care system and better access to modern medicine are, on the one hand, the remoteness of these villages and, on the other, the communication difficulties of the ethnic minorities with medical staff who all live in the lowland and do not speak the language of the minorities. Village health volunteers introduced by foreign aid projects have shown little success and do not promise to be very sustainable, as they are normally not willing to stay for extended periods in remote areas, especially given the low salaries the government is able to pay them. Improved access for the highland people to services in lowland centres appear to be the only option.

Improvement in access to primary education services is one of the main outstanding problems to be solved. Drug prevention through non-formal education is as important as giving ethnic minorities the opportunity to learn the Lao language. Knowledge of Lao gives the minorities not only a better position in everyday dealings with the lowland people but it also helps them to participate in the political decision-making process.

A stronger voice for the minorities living in Laos is undoubtedly much needed: too many prejudices exist on both sides. Whether at a political level or in the opinion of the people, it is too often the ethnic minorities who are made the scapegoat for many problems. For instance, the indigenous highland farmers with their shifting cultivation practices are held responsible for the large scale deforestation in the uplands of Laos, rather than the many commercial logging companies often illegally active all over the country.

A stronger voice for ethnic minorities in the political decision-making process as well as a better mutual understanding among the different peoples living in Laos requires an educational process that will overcome prejudices both in the lowlands and in the highland communities. Such a process will take time. This is also the case with respect to developments in the agricultural sector. It remains to be seen whether the ongoing development projects are successful enough to prevent repressive law enforcement measures being imposed on opium cultivators.

As argued above, poppy could be an ideal crop for these farmers. And opium production in general can be well justified. Opiates are widely used in the pharmaceutical industry. It is not only developed countries such as France, Holland Australia, Rumania or Turkey that have a considerable, state-controlled opium production for the pharma industry. Countries like India, too, manage to thus guarantee a secure income for licensed poppy farmers. Furthermore, opium is a good foreign currency earner for the State, who controls the business. There is, in fact, no rational reason why a country like Laos should not be able to manage a state-controlled legal opium production for the pharmaceutical industry, so that the blessings of the poppy can in fact be such, for the farmers as well as for the State.

* *Out of discretion, names have been changed.*

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MORE TROUBLE FOR THE HEUNY

By Nok Khamin

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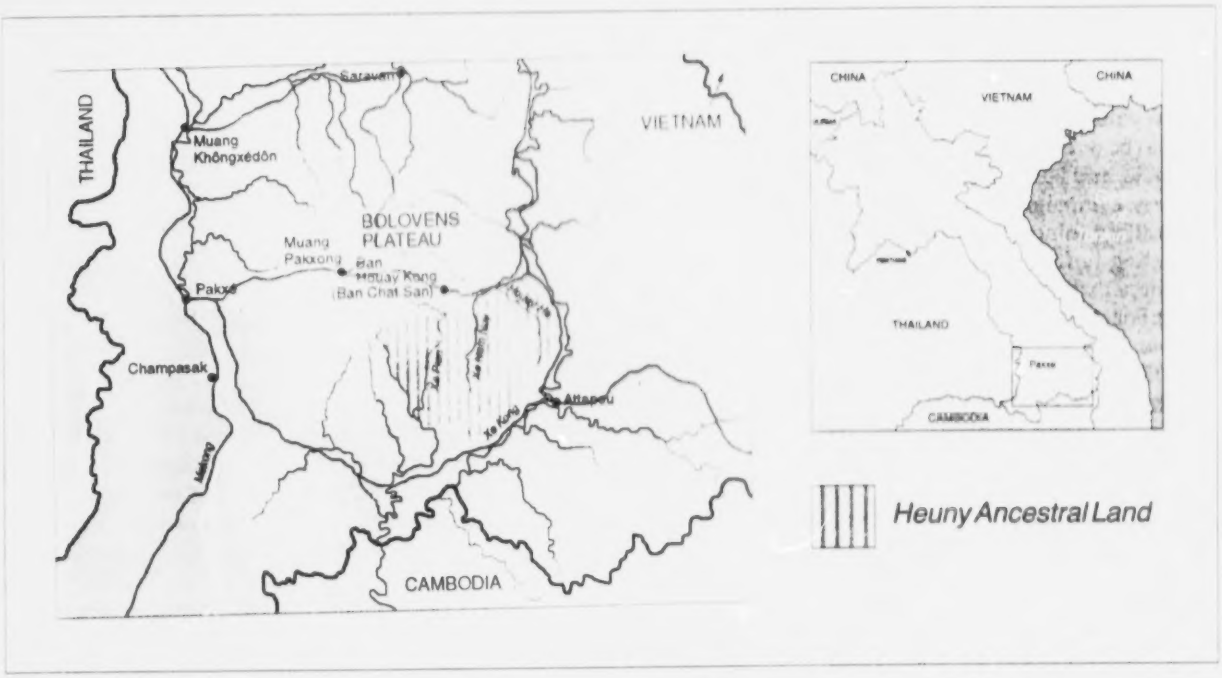

Laos is a country of great cultural diversity. There are at least 240 different ethnic groups living in the landlocked Indochinese country (Chamberlain *et al.*, 1995), which borders Vietnam to the east, Thailand to the west, Cambodia to the south and China and Burma to the north. The "Heuny", or the "Nya Heun", "Nya Hon" or "Gna Hon", as ethnic Lao people and the Lao government refer to them, are one of those culturally and linguistically distinct ethnic minorities. Their language belongs to the Western branch of the Bahnaric group of Mon-Khmer Austro-Asiatic languages. They inhabit remote mountainous areas approximately 800-1000 metres above sea level on the Boloven Plateau in Southern Laos. When compared with Laos' 5 million people, the Heuny are a very small group, their population encompassing approximately 5,522 people grouped within 1,200 families in 1995 (Chazée, 1999).

Similar to the Heuny, there are many other indigenous peoples living in remote and heavily forested parts of Southern Laos. Most practise various forms of animism and speak different languages and dialects of the Mon-Khmer Austro-Asiatic language family. In Laos, these groups are often collectively known as the "Lao Theung" or "Lao Kang", which loosely translates as the "upper Lao" (Chazée, 1999; IRN, 1999).

The Heuny are largely subsistence farmers and forest dwellers that practise a form of rotational mixed crop upland shifting cultivation. (see Wall, 1975). It is believed that the Heuny have long inhabited the area, and their history on the BOLOVEN Plateau probably stretches back many thousands of years. The recent history of the Heuny, like those of many other indigenous minorities, has been tumultuous due to years of war. Throughout the 1960s and the early 1970s, the Plateau was one of the main battlefields of the American War in Indochina (the Vietnam War). In the early 1960s, part of the Plateau was home to a US airforce base. Later, the area became a stronghold of the pro-Viet Cong Pathet Lao army. Of the many places the US bombarded from the air during the war, the Annamite Mountain range, and the adjacent Boloven Plateau, were particularly targeted.

By 1973, when the bombing ended and the US forces began to pull out of Indochina, it was estimated that 580,944 sorties had been conducted over Laos in nine years. At least 2,093,100 tonnes of bombs had been dropped on the country and, in 1965 and 1966 alone, over 200,000 gallons of herbicide were dumped on Laos. To this day, no other war has been categorised by such a high level of aerial assault, and Laos has the dubious distinction of being bombed more per capita than any other country in history *(in litt.)*.

The Heuny are widely known by members of other indigenous peoples as a strong and independent people (Chazée, 1999). They largely survived the war and, despite the turmoil that it brought and the legacy of unexploded US bombs that litter parts of the Bolovens to this day, they have managed to retain their culture and traditional way of life. The Heuny never considered leaving their home-

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land, as their lives are invariably linked to the lands, forests and rivers of the Plateau.

Since the War ended - over 20 years ago - and the Pathet Lao came to power, the Heuny have not had an easy time. The revolutionary government considers animist practices to be overly superstitious and, in many cases unacceptable, and has for years been conducting, with mixed success, campaigns aimed at convincing the Heuny and other ethnic minorities to give up their religious practices, including buffalo sacrifices and other sacred religious traditions that are an important part of their culture (Chazée, 1999). For example, every October or November, all Heuny people used to meet for the biggest ceremony of the year at the juncture between the Houay Ho Stream and Xe Nam Noi River but, in 1970, the Pathet Lao banned the three to four day gathering. The Heuny have also long been discriminated against and are considered as "backwards" by the Tai-Lao speaking peoples (the largest group in this linguistic family are the ethnic Lao), who make up over 60% of the country's population (Chazée, 1999).

Government Resettlement Plans: Misguided Forest Conservation Policy

The Heuny, along with other indigenous groups, have been criticised by the Lao government for living in small communities in remote areas, where the authorities have found it difficult to govern them. The government's solution to this perceived problem has been to adopt a program known as "Hom Ban", which requires that various smaller communities be forcibly moved into single larger villages. The Heuny have been impacted by this programme, and there are now only 20 Heuny villages whereas a few decades ago there were 30 (Wall, 1975; Chazée, 1999). Many other indigenous peoples in Laos have also faced similar changes (Goudineau, 1997; Chazée, 1999). For example, in 1975, shortly after the Pathet Lao came to power, 11,000 ethnic Brao (known as Lave by the Lao) people were forcibly moved from the highlands to the lowlands in the Southern Lao province of Attapeu (Goudineau, 1997). This policy has been very unpopular with indigenous communities.

The government has criticised the traditional agricultural systems of the Heuny and other indigenous groups for contributing to deforestation. This belief has been reinforced in recent years by various international organisations working in Laos, which have found it convenient to put blame on minority groups for the deforestation occurring in the country. For example, a 1990 report prepared as part of the Tropical Forestry Action Plan (TFAP) estimated that there were 340,000 families engaged in uplands shifting cultivation in Laos. The TFAP recommended that the government relocate 60% of these highlanders to the lowlands by the year 2000 in order to reduce deforestation in the country. The government has, in fact, taken this recommendation a step further and, in 1995, planned to stop all shifting cultivation by the year 2000 (*In litt.*), although observers in Laos do not believe that such an ambitious program will be possible to implement fully.

The New Economic Policy: Development for Whom?

Despite years of government criticism, the Heuny may now be facing the biggest threat to their way of life and future well-being. Sometimes called "development" or "progress", it has begun to arrive to the Bolovens through the new open-door economic policy of the Lao government, which has been widely lauded and influenced by international organisations and banks such as the International Monetary Fund, the World Bank, the Asian Development Bank, the Mekong Secretariat, and the United Nations Development Program. Changes have taken place quickly and local and foreign business-people and multinational corporations are eager to exploit the pristine forests, clear mountain rivers, and rich agricultural soils that adorn parts of Southern Laos.

The indigenous inhabitants of the Plateau have not had any direct involvement in the area's various commercial logging operations, which have been dominated by logging companies based in lowland urban centres like Pakse. Neither have they participated in the eucalyptus, pine and other monoculture plantation projects that are being developed on the BOLOVENs, including the 16,000 hectare project being developed by Thais and New Zealanders working for Asia Tech Co. They have also been left out of the large-scale agro-business projects that have arrived in recent years, including the World Bank-funded Upland Agriculture Promotion Project.

The J'rou (or the Laven, as the ethnic Lao refer to them) are the largest ethnic "Lao Theung" group on the Bolovens. They have adapted to the changes brought from the outside somewhat better than the Heuny. While many of the J'rou have taken up growing small patches of coffee and cabbages as cash crops, the Heuny have largely resisted entering the cash economy; most preferring the traditional way of life and little, if any, contact with the outside world.

The Ultimate Threat: Hydropower Development Projects

Beginning in the 1980s, a flood of foreign consultants and multi-national corporations began pouring into Southern Laos, and particularly the Boloven Plateau, to study the potential for developing large hydropower dam projects. Foreign engineers have long viewed Southern Laos, including the Sekong Basin, as an area with considerable potential for large-scale hydropower development. However, the first foreign consultants to conduct detailed field

surveys regarding the potential for hydropower in the area since the American War in Vietnam were the Japanese government's bilateral aid agency, JICA. JICA has undertaken a number of hydropower studies in the Sekong, including the recently completed "Sekong Basin Hydropower Master Plan", which envisages building 12 large dams in the Sekong Basin in Laos.

However, no hydropower projects were under construction by 1993, when the governments of Laos and Thailand signed an agreement in which the Laotians agreed to sell power-hungry Thailand 1,500 MW of electricity per annum by the year 2000 (IRN, 1999). Following the agreement, the South Korean multi-national, Daewoo Co., began working with consultants hired from Electrowatt Co. (Switzerland-based) and the Hydro-electric Commission's Enterprise Corporation (Tasmania, Australia-based) to look into the potential to build a large dam on the Plateau. After completing just a few preliminary studies, Daewoo signed an agreement with the Lao central government in the remote capital of Vientiane to build the 150 MW Houay Ho dam in the eastern Bolovens, which is in the heart of the Heuny's traditional homeland (IRN, 1999).

By late 1994, Daewoo's trucks and bulldozers suddenly started rolling in with no previous warning to either the local population or even the local governments in Champasak Province or Pak Song District, where the dam was to be built. The Heuny were suddenly faced with hordes of Korean project planners, engineers and road crews. The road-building crews quickly ripped their way through Heuny lands so that construction on the Houay Ho dam could begin (IRN, 1999).

The Houay Ho Hydropower Project is being developed as a Build-Operate-Transfer (BOT) scheme, which prescribes that Daewoo Co. arranges for all the project financing, builds the dam, and operates it for 25 years before handing it over to the Laotian government at the end of the concession period. Almost all of the hydropower to be generated by the dam will be sold to Thailand, since the demand for electricity in Laos is very low. Actually, one can only wonder why the Lao government agreed to the terms for development of the Houay Ho dam, as there appear to be few benefits for the Laotians. Most of the profits from electricity sales will go to Daewoo, and virtually all of the environmental and social costs related to the projects were not considered in the project's cost-benefit analysis or the agreement between the Lao government and Daewoo. Laos and its people will therefore have to absorb these losses at no expense to the dam builders (IRN, 1999).

As part of the dam deal, Daewoo agreed to build a new road over the Bolovens to the provincial town of Attapeu, which is situated southeast of the dam-site along the edge of the Sekong River. Cutting through dense forest, the Koreans' first plan for the road ended, before reaching its prescribed destination, at the edge of a 200 metre cliff. Despite bulldozing a large area of forest down along the edge of the steep mountain, and causing a number of landslides and considerable damage to the fragile escarpment below, the road builders eventually came to the conclusion that it was not possible for them to go any further. So they abandoned the first road and followed a different route down the valley of the Xe Nam Noi River. While that road has since been completed, both roads, along with other project-related access roads, have caused a large amount of damage to the Plateau, its forests and its wildlife populations (IRN, 1999).

With the Houay Ho dam under construction, two Thai logging companies have rushed into the area to take the valuable timber out of the pristine forests in the dam's reservoir area before its doors are closed and over 32 km^2 of Heuny land go underwater. According to Champasak provincial forestry officials, the agreement between the Lao government and Daewoo stipulates that the dam would be closed in 1997, regardless of whether the government has been able to finish logging the reservoir area or not.

Apart from working in the reservoir area, the logging companies have cut out the paths for 10s of kms of new all weather roads that have been built to provide the dam-builders with easy access to previously remote areas. In the midst of the confusion, Thai loggers have also taken the opportunity to take large trees out of adjacent areas not officially prescribed for timber extraction by the Lao government.

To make matters worse, the Korean road crews disrespectfully bulldozed over a number of sacred J'rou burial houses, destroying many of these culturally important sites.

Despite the damage that intensive logging and road building is doing to the area, along with the impact of the in-migration of hundreds of outside workers brought in to build the dam, including Thais, Indonesians, and South Africans, the Heuny have had other things on their minds. Their biggest problem has been the plan to relocate 12 of their villages, include two largely J'rou populated communities, out of the forests and off their traditional lands. The relocation was to make way for the Houay Ho dam, and also the Xe Pian-Xe Nam Noi Hydropower Scheme, which is another large dam project that was scheduled for commencement of building in 1996 by the South Korean multi-national, Dong Ha Co.

A team of socio-economic consultants was hired by Electrowatt Co. to consider the relocation plan for the Heuny. They determined that the Heuny's agriculture system is sustainable and not a serious threat to the environment or the forests, due to the low population density in the area (just two people per km^2). These findings directly conflict with the Lao government's claims that the Heuny need to be relocated because of the damage they are doing to the forests (Electrowatt, 1996).

Nonetheless, plans to relocate the 12 villages (including 10 Heuny villages), encompassing 50% of all the Heuny communities in existence, were moving ahead quickly. According to Lao people working for the Koreans, complaints from the Heuny about these plans have not influenced the government officials or the Houay Ho Project

managers, whom the villagers have approached. As one Heuny villager put it, "None of us want to be moved away, but what can we do? Nobody will listen to us. We told them we would never agree to go, but they said that if we didn't agree, the government would force us to go anyway."

Relocation: Nightmare Coming True

At the very end of 1994, the first four villages situated in the eastern part of the BOLOVEN Plateau - Ban Thong Gnao, Ban Nam Han, Ban Nam Tieng and Ban Nam Ngaw - were forcibly relocated by the government to a new location called "Ban Chat San". The name can be loosely translated as "planned village". About a year later, Ban Latsasin and Ban Xe Nam Noi were moved too. At the end of 1996, Ban Nam Leng and Ban Keo Khoun Muang were the next to be relocated into Ban Chat San and, in early 1998, Ban Nam Kong and Ban Houay Soi were moved as well. The four stages of relocation took place over an almost four year period between early 1995 and late 1998. Ten villages in total, including nine Heuny communities (out of a total of 20 communities) and one J'rou village, have been forcibly relocated to Ban Chat San. 1,598 people in 421 families have been moved there so far (*pers. comm.*, Lao government officials, July 2000). The Houay Ho dam has been completed, and electricity is being generated and exported to Thailand (IRN, 1999).

Initial construction of the Xe Pian-Xe Nam Noy dam by the South Korean company Dong Ah Co. began in 1997. While many roads have since been built through the forest, Dong Ah pulled out of the project area in 1999 when it became clear that Thailand was not going to buy as much electricity from Laos as originally expected. It is unclear whether they will return to the project once the prospects for selling electricity improve but actual construction work on the dam had not yet begun when Dong Ah pulled their staff and equipment out of the area.

It is ironic that of the ten villages that have been relocated, only one (Ban Nam Han) was situated within the reservoir areas for the Houay Ho and the Xe Pian-Xe Nam Noy dams. It is therefore incorrect to assume that the communities had to be relocated to make way for the dams. In fact, the Environmental Impact Assessment for the Xe Pian - Xe Nam Noy dam specifically recommended that the communities should not be relocated to Ban Chat San. Instead, it was suggested that they either be left in their previous locations, or be moved a little up the mountain to avoid being flooded by the dam reservoirs (Electrowatt, 1996). However, the project developers and the government did not follow this advice.

One stage of the government's relocation plan remains to be completed. Two villages, Ban Houay Chote (Heuny) and Ban Nong Phanouan (J'rou), are still scheduled to move, and the relatively large communities comprise 855 people in 226 families. They have still not been relocated due to a lack of government funds to support the move. The provincial government has so far been unsuccessful in getting international donor support for relocating the last two villages into Ban Chat San. If they move, the total population at Ban Chat San would rise to about 2,453 people in 647 families.

Government officials have told the leaders of Ban Houay Chote and Ban Nong Phanouan that it is still expected that they will be forcibly relocated eventually but villagers have also been told that it is possible that they might not be moved at all. The inhabitants of the two communities are vocal in their opposition to being moved to Ban Chat San, since they have seen the suffering that others have already had to endure. However, villagers are especially critical about the uncertain relocation plans, since they would at least like to know one way or the other whether they will be moved. Villagers are unwilling to plant any long-term crops or do repairs to their houses due to the uncertainty of their remaining in their present villages in the future. They are unable to plan for the future, since they do not know where they will be living. One villager from Ban Houay Chote said, "We do not want to relocate, but if the government says we must, then we want know for sure so that we can plan for the future. If they are not going to move us, we also want to know, so we can build up our community".

Food Shortage

For the ten villages that have already been moved, the situation is miserable, and appears to be deteriorating. As anticipated long before any people were relocated to Ban Chat San (see Electrowatt, 1996), the biggest problem facing relocatees is a serious lack of suitable agricultural land in the Ban Chat San area. The socio-economic researchers associated with the Environmental Impact Assessment (EIA) for the Xe Pian – Xe Nam Noi dam clearly indicated that a minimum of three hectares of land per family would be required for relocatees. However, most villagers now have only one or two hectares, with only a few getting the full three hectares they were promised. Much of this land is marginal, poor quality land covered with imperata grass, which is unsuitable for swidden agriculture.

Land tenure problems near Ban Chat San are also serious, as expected, and much of the land given to relocatees was actually fallow farmland of the neighbouring villages of Ban Thong Vai, Ban Nong I-Oi and especially Ban Nam Tang (see Electrowatt, 1996). Conflicts with these communities have forced many relocatees to abandon land given to them by the government, since the original owners of the land demanded it back.

Another serious problem with the relocation plan has been the expectation that locals would switch from shifting cultivation to fixed coffee farming. Over the last two years the international price of coffee has plummeted, making the crop much less attractive to farmers than it was

a few years ago. At present prices, which are not expected to rise much over the next few years at least, it is not feasible for relocatees to grow coffee to sell and make enough money to buy sufficient rice to eat. Another problem is that the coffee seedlings provided to villagers were improved dwarf varieties that require a considerable amount of care and fertilizer inputs. Since locals do not have the funds to invest in inputs, and also have little interest or experience in growing coffee, most coffee fields have not developed well, and large numbers of seedlings have died.

While 90% of the relocated families used to be self-sufficient in rice before being moved, it is now estimated that 95% have serious rice deficiencies, with only enough rice for three months of eating being grown per family on average. Some villagers with small land holdings have been forced to grow small patches of highland rice and other crops around their houses, in a similar fashion to how they used to make their swiddens. However, the area available for these small swidden plots is not sufficient, and land fertility cannot be sustained in these patches indefinitely without leaving them to return to fallow intermittently. There is not enough food harvested from these areas to meet subsistence needs. Moreover, only a very small quantity of forested land was given to relocatees, and most of it was degraded prior to the establishment of Ban Chat San. There is little of use for relocatees in these small remnants of forests, making fishing and gathering of forest products near Ban Chat San very difficult.

The people were promised a supply of rice to get them through hard times directly after being relocated, but those promises have not been fulfilled. While it was originally expected that three years of rice would be provided for each family, it was later decided that only one year of rice would be given. However, even that amount has not been provided. The first three groups relocated received just three months of rice, and the last group has not yet seen even one grain of that rice. This has led to serious food shortages for local people. It is also believed that other items such as clothing and blankets have also been at least partially diverted before reaching the relocatees. For example, each person was supposed to receive one blanket, but many families only received one blanket for the whole family. It is unclear where the rest of the blankets ended up.

It is ironic that the relocation of the Heuny and J'rou has been justified in the name of environmental protection, since those who have studied their swidden agriculture system have not deemed it a threat to the environment. (Chazée, 1999; Electrowatt, 1996; Wall, 1975). Although the Lao government has given up on its plan to stop swidden agriculture by 2000, it is continuing its dogmatic efforts to decrease the amount of shifting cultivation going on in the country. There seems to be an unjustified, but continuing, belief within the largely lowland ethnic Lao-dominated government that all swidden agriculture is bad; thus, the Heuny have become the victims of this belief and the government policy.

The relocatees are faced with serious livelihoods and food security problems, and many have been forced to hire out their labour to surrounding villages for weeding and land clearing on a daily or monthly basis, and for very low rates (often in exchange for food). Others have resisted attempts to settle them in Ban Chat San by constantly finding excuses to return to their former fallows and villages, where fish and forest foods can still be easily found. There are strict rules disallowing villagers from moving out of Ban Chat San, and permission from village chiefs must be received before anyone can leave the village. However, judging from the many abandoned-looking houses (approximately 30%) at Ban Chat San, it is clear that many villagers are spending more time outside Ban Chat San than in it, and one to two month trips at a time are not uncommon. In 1999, about 20% of the families also moved illegally into other Heuny villages that had not been relocated in order to undertake shifting cultivation. However, none are legally allowed to be there, and their children cannot go to school in the villages because they are not registered residents.

One serious problem is a lack of suitable, easily accessible drinking water. Although it was expected that five hand pump wells would be drilled, only three were actually provided and, of those, only one has water suitable for drinking or domestic use. The water from the other two wells is contaminated with "unidentified minerals", which have made the water unusable. Ban Chat San villagers claim that even plants watered using water from the two wells die. Apart from the single operational well, local people have dammed a small stream near Ban Chat San and are using bamboo sections to discharge the water. However, locals developed this source of water without any assistance from the government or others. In any case, many villagers must still travel one to two kms to the nearest water source, causing villagers considerable hardship, especially considering that they used to live near to perennial water bodies with relatively good quality water. There are no good fishing grounds near Ban Chat San.

Declining Health and Education Standard

Health problems are serious for relocatees at Ban Chat San. Lack of good quality drinking water has contributed to many problems. Diseases also spread more easily due to a much higher population density at Ban Chat San. General malnutrition and undernutrition have become much worse since relocation, and have generally contributed to increased health problems. Stomach ailments and malaria are the most common forms of illness reported by villagers, but villagers are stricken with many other illnesses as well.

An attractive government-operated health centre has been built near Ban Chat San, and it is staffed with govern-

ment health workers. However, villagers are very critical about the health centre, and claim it is of little use to them. Originally, basic medicines were supposed to be supplied to relocatees at no cost but the health-care workers soon started incorrectly charging patients for these medicines. Later, when foreign donors found out about this practice, the clinic reverted to giving medicine away to villagers for free but, after just a short period, the health workers again returned to selling them. For villagers, the cost of medicines is a serious concern, since the economic base of the people in Ban Chat San has deteriorated considerably, leaving locals with very little money. Without money, the health clinic is worth little to relocatees, since they cannot afford to buy medicine, and most villagers have returned to relying on animist ceremonies as their primary means for driving illness-causing spirits away.

Primary education in the Ban Chat San area has deteriorated recently, despite the fact that the school built for the relocatees is relatively attractive. To begin with, parents have less money than they used to, and many cannot therefore afford to pay for their children's education, including basic school supplies. More importantly, adults must often venture from Ban Chat San to other far away places, including their old homelands, to find forest food, fish and plant crops. Since children are often forced to travel with their parents, many have had to quit school. Children from eight villages are also cramped into a single school. The education situation is worse for the most recently relocated villages of Ban Houay Soi and Ban Nam Kong. Both had elementary schools in their communities prior to being relocated, but there is not a school near where they have been moved. The area where they have had to move is many kilometers away from the school, making it impossible for the children to attend at all. It appears that both health and education standards have declined since villagers were relocated.

A Failed "Experiment"

The relocation programme associated with Ban Chat San has been a massive failure, and people with close contacts in the communities believe that at least 80% of the relocatees would return to their original communities immediately, if they were given the chance. They have almost given up waiting for government support. While their first choice would be to return to their old villages, their second strategy is to slowly move into other Heuny villages where agricultural land, water and forests are relatively plentiful. But they have to move out little by little, in order not to draw attention to their abandonment of Ban Chat San.

While the relocatees are determined to move out of Ban Chat San one way or another, the government is unlikely to continue to keep villagers there against their will. Ironically, the provincial government considers Ban Chat San to be an example relocation site, and many want to avoid losing face by letting the truth come out. Secondly, admitting the problems that are occurring at Ban Chat San could draw attention to the fact that much of the support promised to the relocatees never reached them. Many officials with dirty hands certainly do not want to see these problems brought out into the open, especially at the provincial level. The government would most likely prefer to see the Heuny remain in Ban Chat San, because allowing them to live in their original small and scattered communities is considered a potential security risk. The government has not yet understood that improved road access means little to the Heuny at Ban Chat San, because they now have little to sell to outside markets, no money to buy anything, and certainly do not have enough money to travel frequently by bus.

As an extremely vulnerable group of very traditional indigenous peoples, the future of the Heuny on the BOLOVEN Plateau in Pak Song district is uncertain. What is clear, however, is that they are suffering incredibly due to a very poorly conceived and implemented forced relocation plan that, in fact, was not even necessary. Now is the time for the Lao government to abandon the "experiment" and admit their mistakes. The Heuny and J'rou should be allowed to return to their traditional villages as soon as possible.

The first part of this article was researched and written in 1995 and 1996. Now, approximately five years later, the Boloven Plateau has been revisited, and the author has re-investigated the status of the indigenous people living there, particularly the Heuny. I would like to thank a Heuny colleague who is very familiar with the actual status of the Heuny in Pak Song District; he has supplied much of the information, but must necessarily remain anonymous. The second part was written with his help in September 2000.

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CONSERVING THE ANCESTRAL LANDS OF CAMBODIA'S INDIGENOUS COMMUNITIES

By Sara Colm

Photo: Christian Lee

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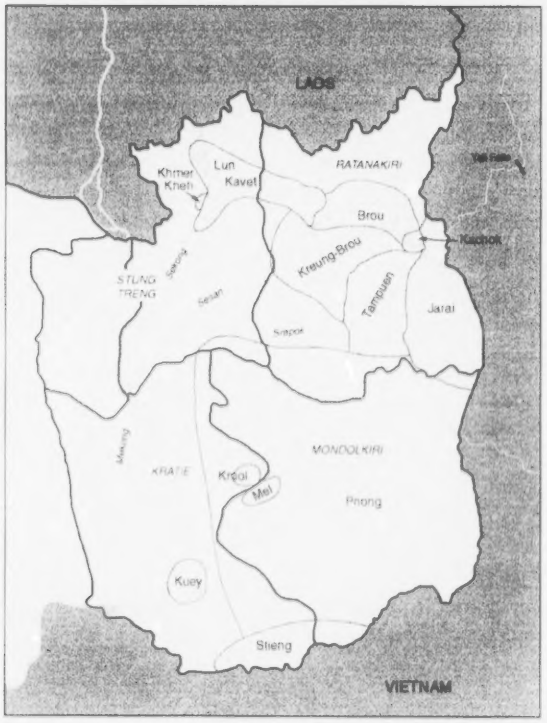

Ratanakiri province, which borders Laos and Vietnam in the northeastern corner of Cambodia, is renowned for the rich diversity of its biological features and its indigenous cultures. However, the ancestral lands and traditional livelihoods of Ratanakiri's eight indigenous ethnic groups are threatened by logging, land speculation, and unsustainable agricultural and hydropower development.

As one ethnic Kreung villager put it, "Our village boundaries extend only to our *chamkars* (swidden plots) — that's one hour's walk — but we support our living in an area much further than that, in the forest beyond our village boundaries. These forests are like our market place — they are where we find wildlife, malva nuts, rattan and so on. If companies take those forests, we'll be dead."

Spirit forests, sacred groves, and spirit mountains are the most powerful and spiritually significant places in the highlanders' landscape. In an interchange with a lowland Cambodian logging company representative, a Kreung villager explained, "Destroying our spirit forests is like someone entered your Buddhist pagoda and destroyed the Buddha statues."

For the highlanders, the physical impacts of development on ancestral lands are intertwined with spiritual repercussions. Logging can upset the spirits of the sky, creating droughts and barren fields. Hydropower dams can anger the spirits of the water and trees. When water is released from a dam's reservoir, a Tampuen villager explained, it is as if angry spirits have been unleashed on the people downstream, causing some to fall ill or drown in the torrents of water.

Until the late 1990s, Ratanakiri's indigenous groups lived relatively autonomously because of the province's physical isolation from Cambodia's capital, Phnom Penh. Much of the country's attention was focused on the northwestern provinces bordering Thailand, the site of ongoing civil war with the Khmer Rouge. U.N.-brokered peace accords in 1991 led to national elections in 1993 and 1998. With the defection of thousands of Khmer Rouge fighters in 1999 and cessation of military activity, Cambodia is shifting its focus to economic development, including exploitation of its natural resources.

Ratanakiri, with its rich red volcanic soil, pristine rivers, abundant hardwood forests and relatively low population, has become the new frontier for commercial exploitation. The needs, customs, religious beliefs, and traditional livelihoods of the province's 60,000 indigenous inhabitants are at stake in this business boom, which could force them off their ancestral lands.

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A Cultural Mosaic

Known as the "Naga's Tail" (the mythological giant snake), Ratanakiri province is formed by a broad upland plain punctuated by a volcanic plateau, with a minor mountain range forming the country's northeastern boundaries with Laos and Vietnam. This upland region is drained by three major rivers: the Se San, Srepok and Sekong. Ratanakiri's cultural diversity is illustrated in the range of linguistic types found there. (see Table below) The province covers an area of 1.16 million hectares and has a population of 94,000 people, of which 75 percent belong to eight indigenous groups, in addition to the more recently arrived lowland Cambodians (or Khmers), Vietnamese, Laotians and Chinese.

Most of Ratanakiri's indigenous groups - the Tampuen, Kachok, Kreung, Brou, Lun, Kavet, and Pnong - belong to the same linguistic family, Mon-Khmer. The language of the Jarai, one of the largest highland groups in Indochina, belongs to the Chamic branch of Austronesian, the language family that includes Malay.

A Turbulent History

Northeastern Cambodia has long been a strategic region, with its waterways serving as key links for trade and transport of armies. From the 13th until the 19th century Cham, Khmer, Lao, and Thai all competed for control of the area. In the 18th century slave merchants raided indig-

Ethno-linguistic Group	Population in Ratanakiri	Comments
I. AUSTROASIATIC: Western Bahnaric branch of Mon-Khmer Brou sub-group		
Brou	5,500	Traditionally lived in Northeast of Ratanakiri – now live primarily along the Se San River because of government relocation programmes in the 1960s and 1980s.
Kreung	14,000	Live in the western part of the Central Plateau, and towards the Se San River in the north.
Kavet	2,000	Live in the forested area north of the Se San River. Different governmental regimes have attempted to relocate them along the Se San River over the last 30 years, although since 1993 many have started to gradually migrate back towards their old settlement areas closer to the Lao border.
Lun	150	Live in Vonsai and Taveng districts.
Central Bahnaric branch of Mon-Khmer		
Tampuen	18,000	Live in central Ratanakiri on the Central Plateau around Banlung and throughout much of Lumphat and Bokeo districts. Previously extended to Vietnamese border but were pushed westward during the past centuries.
Kachok	2,200	Live in Andong Meas and Vonsai districts of Ratanakiri near the Se San River.
Southern Bahnaric branch of Mon-Khmer		
Pnong	Very few	Live in Lumphat district in south Ratanakiri, but Pnong constitute 80 percent of the population of Mondolkiri province.
II. AUSTRONESIAN: Chamic branch		
Jarai	14,000	Most of the Jarai live in Vietnam. In Cambodia they live in a belt along the Vietnamese border between the Se San and Srepok Rivers.
Others		
Lao	6,500	Live primarily along the main rivers. First settled in the northeast of Cambodia in the 17th century. Intermarriage with indigenous groups is fairly common.
Chinese	200	Vonsai district. Moved from Guangdong province of China via Phnom Penh since the 1940s.
Vietnamese	750	Live in Banlung town.

enous villages for slaves to sell in the markets of the main urban areas of Thailand, Laos and lowland Cambodia.

French traders in the 1850s describe a tributary relationship between the Cambodian royalty based in the lowlands and the Jarai Kings of Fire and Water, who possessed a saber with magical qualities. Tribute to these guardians of the highlands north of the Cambodian Kingdom — which included elephants, brass wire, iron, glassware and silk — was seen as ensuring protection of areas vulnerable to foreign invasion.

In the late 18th and early 19th centuries, as the Thai conquered parts of northern Cambodia and southern Laos, the indigenous populations were taxed heavily in gold by their new rulers and the slave trade thrived more than ever. The hill people responded with several small uprisings, most of which were unsuccessful. As the French colonized the region they established Kontum Mission in 1849, across the border from Ratanakiri in Vietnam, and annexed much of the Se San and Srepok basins. In 1863 Cambodian King Norodom was forced into making Cambodia a protectorate of France, followed in 1884 by it being made into a fully-fledged French colony. In 1887, the Thai established themselves at Takalan on the Se San, which later became Vonsai. Unable to compete in these struggles between the French and the Thai, the Khmer abandoned the Srepok valley.

In 1895 Cambodia lost Attopeu, Siempang and Stung Treng, first to Cochinchina, and then to Laos. Arbitrarily drawn boundaries cut through indigenous homelands, with the border between Cambodia and Annam splitting Jarai territory and the Cambodia-Lao frontier separating Brou and Kavet in Stung Treng from their relatives across the border. For several years, highlanders — particularly the Sedang and the Jarai — resisted French rule and attacked colonial outposts. In 1904 Stung Treng province returned to Cambodia.

In 1953, under Prince Norodom Sihanouk, Cambodia obtained independence from France. In the early 1960s the Sihanouk regime began to force highland villages in Ratanakiri to move from the bamboo forests in the mountains near the Lao border to more "orderly" concentrations along the main highways or the Se San River. The government's agenda was to rein in the indigenous people and cut off contacts with Lao, Vietnamese and Cambodian insurgents, while at the same time "modernizing" the minorities. Sihanouk's development programs included the creation of rubber plantations, construction of roads and schools, and settlement in Ratanakiri of lowland Cambodians.

After Sihanouk began to crack down on leftists in Phnom Penh in the early sixties, Pol Pot, Ieng Sary, and other top Khmer Rouge leaders left Phnom Penh and established themselves in the forests of northeastern Cambodia. They recruited members among the highlanders, many of whom were disgruntled with the central government, and gradually built a strong revolutionary base in Ratanakiri.

A Hero logging truck blazes a new road through a stretch of forest in Ratanakiri
Photo: IWGIA Archive

In the mid-1960s, work began on an 8,000 hectare State rubber plantation near the military post of Labansiek in Ratanakiri. The development of the plantation did not go smoothly, the new colonists colliding with the former occupants of the land, who depended on it for their subsistence. The situation flared up in 1968, when Brou, Tampuen and Kreung villages resisted the plantation's encroachment. When they were brutally suppressed by government forces — who looted and destroyed their villages — many highlanders fled to the forests, where they joined the Khmer Rouge rebels. Further north, in Vonsai, the Khmer Rouge organized villagers to demonstrate against excessive taxation. In O Yadao district to the east, Jarai were recruited to join "the struggle" as an alternative to taking short-term jobs as plantation laborers.

In February 1968 Sihanouk publicly acknowledged the highlanders' unhappiness with the government. However, Ratanakiri's main problem was underpopulation, he asserted; the answer was the development of roads and resettlement of more colonists.

In the late 1960s, the American War in Vietnam began to spill over the borders to Cambodia. Beginning in 1970, US bombing of Ratanakiri forced the highlanders out of their villages and into the forests, where they lived with the rebels. In the early days, many of the indigenous groups were receptive to Khmer Rouge rhetoric, as an alternative

to the policies of the central government. The Khmer Rouge were able to exploit growing resentment of the Central Government, and then step in as a replacement after the 1970 coup d'état by General Lon Nol, whose regime never took hold in the northeastern provinces. In mid-1970, Lon Nol forces withdrew from the northeast and Ratanakiri became a Khmer Rouge "liberated zone" - five years before most of the rest of Cambodia.

In many instances the Khmer Rouge undoubtedly used coercion and fear to enlist indigenous support for their revolution. And their early "marriage of convenience" with the highlanders soon soured after the US bombing ended in 1973, when the Khmer Rouge began to implement radical cooperatization schemes, forced labor and communal eating programs in Ratanakiri. Thousands of highlanders fled to Vietnam and Laos in 1974 and 1975. Many of those who remained behind were executed for not following the party program, or died from starvation, disease and harsh working conditions.

In 1979, Vietnamese troops forced the Khmer Rouge to the Thai border and established a Socialist government in Phnom Penh under Heng Samrin, which waged war with the Khmer Rouge throughout the 1980s. Security problems, poor roads and lack of a regular air service left Ratanakiri cut off from lowland Cambodia during this time. After United Nations-brokered peace accords in 1991 and national elections in 1993 — plus the launching of regular flights from Phnom Penh — Ratanakiri began to open up to tourism, business, and the work of Non-Governmental Organizations (NGOs).

Fruits of the Forest

Most of the highlanders subsist on swidden agriculture, supplemented by hunting, fishing and gathering of forest products. In the dry season villagers clear swidden plots (*chamkars*), drying and burning the timber and underbrush. Swidden plots are planted at the beginning of the rainy season and the same plot may be used for a period ranging from one to five years, depending on the quality of the soil. The plots are then left fallow to allow them to recover their fertility before being cultivated again. Villagers subsequently rotate their plots to other fields that have regained their fertility or to areas that have never been cut at all.

The highlanders grow a variety of crops in their swidden plots, including upland rice, cassava, taro, sugarcane, maize, sweet potatoes, yams, beans, peppers, sesame, tobacco, pineapples, gourds and other vegetables. Fruit trees are grown in the villages and *chamkars*, bearing bananas, jack fruit, cashews, papaya and mangos. Areas cleared for swidden agriculture are usually not old-growth forest but secondary forest or forest fallows that are eight to twenty years old. In addition to swidden agriculture, some of the highland groups cultivate wet rice in permanent inundated paddy fields.

Secondary and old-growth forests near village agricultural lands are also integral to the highlanders' local economy, providing hunting grounds and many of the forest products that villagers depend on for their livelihood, such as vines, resin, honey, nuts, bamboo, and rattan.

Most highlanders have a clear sense of the physical extent of village land used for cultivation, usually defined by streams, mountains, or other geographical features. Village sites do not move as much as is commonly thought, and the highlanders of Cambodia cannot be considered as "nomadic." When villages do move, it tends to be within the village's ancestral cultivation area — often within a matter of only a few kilometers — and for specific reasons such as political upheaval, government relocation, bad omens, excessive illness, or other hardships at the current site.

Cultivation land is distributed according to decisions by village elders and spiritual beliefs, but the result is often that the land is distributed equitably. For example, a study by the East West Center found that different villages in Poey Commune in O Chum district all had roughly the same number of people per square kilometer, regardless of village population size.

Specific boundaries between villages are not required unless the cultivation areas from one village meet another. Borders are thus set up communally and only if they are deemed necessary to address real needs. Many of the highland groups believe that if they farm on the other side of a different village's *chamkar*, the spirits will be unhappy and they will meet misfortune or death. When *chamkar* from one village meets *chamkar* from another, elders from the two villages may meet to decide on the boundaries. Inter-village negotiations over borders are not always necessary when village cultivation lands meet, however, because the physical location of *chamkars* and taboos against farming in another village's cultivation area define the cultivation limits.

Variations do take place within the different highland communities with regard to traditional resource allocation and village movement, and exceptions occur, even within the same commune. The Kreung village of Kralah has remained in the same location for most of the last 100 years, while neighboring Kres village has moved 10 times in the last 40 years. Groups such as the Kavet in Vonsai district, whose village and agricultural sites have been disrupted numerous times by warfare and government relocation schemes, do not strictly adhere to traditional cultivation boundaries. On the other hand, some of the Kreung have very clear internal policies banning the sale of village swidden lands. In Kralah village, for example, violators are to be fined the price of the land sale with the proceeds going into a communal village fund, or banished outright from the village. The only condition under which one can sell land is if there is agreement from the village elders and the village committee — one person alone cannot make the decision to sell a piece of the community's land.

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A Kavet woman who gave her age as over 100. Photo: Sara Colm

Traditional carvings at a Tampuen grave site. Photo: Sara Colm

Kreung woman, O Chum district, Ratanakiri. Photo: Sara Colm

Kreung villagers produce sketch maps to show their forest areas that were excluded from a logging concession as part of an independent cultural resource study commissioned by the provincial governor. Villagers have learned how to use GPS units to map and hopefully protect the boundaries of their spirit forest. Photo: Sara Colm

Kralah's no land-sales policy was reinforced by the unrest over land rights in the 1960s, as Kralah chief Ya Kuoch explained, "From the time of our ancestors we never sold our land. In the past, a French company wanted to plant rubber here. They had us serve them and work in their rubber plantation. Our land was sold to the company. We worked for them but we stayed poor — there was no development for us. So we decided not to sell to companies — where would our grandchildren farm in the future?"

Highland Religion

Most of the highlanders in Ratanakiri have followed holistic spiritual systems for generations, with minor variations among the different ethnic groups. The landscape surrounding the highlanders and their villages - including spirit mountains, graveyards, swidden plots, or areas where forest products are collected - is imbued with spiritual values. This involves beliefs in ancestor spirits, guardian spirits that watch over villages, as well as spirits that reside in rocks, trees, streams, wind, agricultural fields, mountains, and other natural phenomena.

"There are old spirits, young spirits, big spirits and little spirits," explained a Kreung elder. "They are everywhere; for example, the place where we plant fruit trees. But the mountain is like the village for the *arak* [spirit] -it's the place where they meet. In other places they are not so big or so fierce, such as in the village, and can't affect us so much."

These spirits are believed to hold immense powers and, if properly treated, can ward off disease, poor crop harvests, or other calamities. When the spirits are not treated properly, however, the consequences to villages as well as to individual villagers can be severe.

According to the highlander belief systems, swidden agriculture is also affected by spirits. Each step of the agricultural cycle is therefore accompanied by ceremonies and offerings to the spirits - often conducted in the swidden plots themselves - in order to ensure a good harvest and protect villagers from harm. Even deciding on the site to plant a swidden plot involves invoking the spirits. "First we clear a small patch of forest as a trial to ask whether the *yang* (spirit) gives the land to us," explained a Jarai villager. "If no animal cries or we have a good dream, we then cut a little bit more. We do this for three days, and if there's still no problem after the third day, we cut the whole *chamkar*."

When illness or misfortune strikes a community, *mey arak*, or healers who can communicate with the spirits, are consulted to intervene. They determine what the cause of the problem is, often through a dream, and then organize the appropriate response, usually in the form of a ceremony or ritual to appease the spirits.

Spiritual ceremonies are usually held in the village or the *chamkar*, but they can also be held in the forest or on the banks of a lake or stream that is thought to be spiritually potent. According to the requirements of the spirits, a chicken, piglet, cow, or buffalo is sacrificed. The *mey arak* or village leader will then "*sein arak*", or invoke the spirits, over a rice wine jar. After the formal part of the ceremony, villagers may remain together for many hours afterwards, feasting, singing and playing gongs while more jars of wine are brought out to drink.

Illness is often attributed to a person's spirit being lost or captured, either by an *arak* or by a spirit of the dead. There are many ceremonies to ensure health and to overcome illness. Patients may be brought to a spirit medium, who will use various techniques to determine the cause of illness and possible remedies.

Many of the highland groups follow taboos for certain plants and animals; for example, in several Kreung villages water taro is not eaten, pythons are not hunted, and wild bamboo is not cut, used, or eaten. The origin of the wild bamboo taboo comes from the time of the villagers' founding ancestor, who many generations ago is said to have found refuge from enemies in a wild bamboo grove during wartime.

Spirit Forests

For many of the highland groups, spirit forests, sacred groves and spirit mountains play a central part in highland religious beliefs and are treated with profound respect. Each spirit forest or spirit mountain has its own history and associated legends, which have been passed down by the village elders from generation to generation.

Spirit forests are often identified through a dream, particularly by a spirit medium or *mey arak*. Sometimes a spirit forest makes itself known as a result of a powerful spiritual encounter in that particular forest. And sometimes a spirit forest is identified after a member of the community falls ill or dies after going to the spirit forest. Illness or bad dreams are often attributed to spirits who have become angered by disruption of the natural environment, for example, after logging or collection of forest products in a spirit forest.

Spirit forests are characterized by the highlanders as deep forests with old growth vegetation, large vines, and extraordinary physical features such as large boulders, deep naturally-formed wells, ponds, waterfalls, salt licks that draw wildlife and even, in one case in O Chum District, stone columns thought to have been placed on the mountain top hundreds of years ago by the gods.

"Forest people" are thought to reside in some spirit forests, accounting for the voices, laughter, gong-playing or other evidence of magical or unexplained human activity that villagers encounter in spirit forests. They are generally seen as fairly benign creatures, although they may chase humans who come into their territory, screaming or laughing at them.

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Certain spirit forests are too potent for humans to enter. Before entering a spirit forest to hunt or collect forest products, villagers often organize ceremonies and make offerings to the spirits in order to obtain their permission. People believe that if they are able to successfully hunt wildlife, it is only because the spirits have "given" that animal to them. However, spirit forests are primarily sacred sites, not resource collection areas. "Spirit forests are not important for our use, but for us to respect," said a Kreung villager. "Those who do collect forest products in spirit forests should ask permission first."

If outsiders want to enter a spirit forest, they should ask the village first. "They can come and take a look but they can't hunt animals," villagers said of Yol spirit mountain. "We can't allow outsiders to cut the trees or hunt there." Villagers recount an incident in 1998 when a child and several adults in two villages died after loggers cut trees with a chainsaw on Yol Mountain. The people prayed to the *arak* and dreamed the deaths were caused by angry spirits.

Threats to Land Security

Approximately one third of Ratanakiri province has been designated as royally-decreed protected areas, including Virachey National Park and Lumphat Wildlife Sanctuary. Local NGOs and Ministry of Environment staff are attempting to actively involve highlanders living in and around the protected areas in park management and to date, have had no plans to evict them. As conventional economic development in Ratanakiri proceeds, however, dwindling access to land and natural resources is affecting the ability of indigenous populations to maintain secure livelihoods.

Much of the province's land area - including the buffer zone of Virachey National Park — has been approved for logging concessions. In 1995, the government approved a 30-year concession for 1.4 million hectares to Macro-Panin, an Indonesian company. Other companies have been granted rights to export tens of thousands of cubic meters of felled timber to Vietnam in exchange for public infrastructure improvements in Ratanakiri, most of which have never materialized.

Logging operations - both legal and illegal - escalated during the lead-up to national elections in 1998, when income from logging by the military and police was used to finance the election campaign of the incumbent Cambodian People's Party. During this period, over 200,000m^3 of logs were illegally exported from Ratanakiri to Vietnam, according to investigations by Global Witness, an independent monitoring organization.

"No one dared to protest," said a Jarai villager describing logging near the Vietnamese border. "They had soldiers, people from the province, a big delegation. The company said they had approval from the district and province. There was no consultation with the people. The dog doesn't dare to bite the elephant — who can dare protest?" Kreung villagers in O Chum said, "The government says we are the ones destroying the forest but actually it's them. The big people are cutting the forest and making us poor. They should follow their own laws."

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In January 1998 the government authorized a 25-year timber concession to the Hero Taiwan Company Ltd. to log 60,150 hectares of forest in Ratanakiri, in an area inhabited by almost 10,000 people, primarily ethnic Kreung. The company's management plan stated that sites important to culture or tradition, or areas that communities wished to protect, would be excluded from logging. However, as of writing, logging has continued to take place in spirit forests respected by the indigenous peoples.

In March 1999, conflicts arose between the Hero Company and Kreung people living in the concession area when logging commenced without prior consultation with local communities. In May 1999, Hero Company representatives and government officials, accompanied by armed policemen, pressured village leaders to thumbprint an agreement allowing the company to log their forests. One week after this forced signing, logging began.

Because of the controversy surrounding the concession, Ratanakiri's provincial governor authorized an independent cultural resource study to identify and map areas of religious and cultural significance to the highlanders living within the concession zone, as well as areas they depend on for their livelihoods. A mixed research team, which included NGO workers, government employees and highlanders, trained local villagers in the use of Global Positioning System (GPS) units so that they could map - and thereby hopefully protect - the boundaries of some of their spirit forests.

In April 1998 the Pheapimex Fuchan Cambodia Co., Ltd. was granted a concession for 350,000 hectares in Ratanakiri and Stung Treng provinces, within the former Macro-Panin concession, which was cancelled in 1997. The Pheapimex concession includes most of a proposed buffer zone for Virachey National Park, inhabited by more than 10,000 indigenous people.

In addition to logging concessions, the province has been flooded by land speculators and applicants for commercial agricultural concessions to grow oil palm, coffee, cassava and cashew nut. The Ratanakiri Land Titles Office has received applications for more than a dozen concession projects in the province, ranging from 100 to 20,000 hectares.

Increasing numbers of lowland Cambodians are migrating to the province, and they are often obtaining titles to parcels of land, particularly near market towns. Land is being cleared and industrial crops planted on some of these sites, while other sites remain unplanted as speculators wait for an opportunity to resell the land at a higher price. In one particularly egregious violation in 1997, a highranking military general fraudulently obtained title to 1200 ha of land occupied by three villages in Bokeo district. Tampuen and Jarai villagers - most of them illiterate in Khmer - were threatened with loss of their land unless they thumb printed a document, which turned out to be the sales agreement. Afterwards, each family received two bags of salt. When the villagers later learned of the fraud, they were adamant that they had no intention to sell their land. With the help of legal aid and human rights organizations, they plan to defend their land rights when the case goes to court in early 2001. In areas close to the provincial capital of Banlung, highlanders are becoming more accustomed to a cash economy and showing a growing openness towards selling village land — a rare occurrence in the past because they relied completely on their *chamkars* to make their living.

Another factor affecting indigenous lands are the proposed hydropower projects on the Se San and Srepok rivers and their tributaries, which will displace highlanders who have already been relocated by the government from their ancestral lands near the Lao border to new villages along the riverbanks. Six dam sites have been identified in Ratanakiri alone, with one — the 260 MW Se San 3 — projected to flood an area extending from Vonsai town all the way to the Vietnam border. Although not fully operating, the 720 MW Yali Falls dam, constructed on the Se San River in Vietnam, has already had devastating ecological and social impacts on indigenous communities living downstream in Ratanakiri. Sporadic and unannounced releases of large amounts of water have caused more than 30 deaths from drowning, as well as destruction of agricultural fields, fisheries, fishing equipment, and boats, deterioration of water quality and ensuing human and animal health problems, and the death of livestock and domestic animals.

Some provincial authorities attribute Ratanakiri's developmental and environmental problems to the highlanders themselves, asserting that the swidden system is responsible for destroying the forests. " If we are always thinking about the impact on the ethnic minorities, we will never get any investment," said Sao Phim, the former deputy governor of Ratanakiri. "If we preserve the traditional swidden economy, in 100 years there will still be no progress forward."

Some officials suggest that highlanders could attain a better standard of living if they switched from swidden agriculture to paddy rice cultivation or found employment with industrial plantations. But both of these options need to be examined carefully. And even if the indigenous people agreed to participate in such developments on their land, the question is whether there is sufficient land for all of Ratanakiri's indigenous people to cultivate paddy rice, or enough jobs on the proposed industrial plantations. In 1996, a proposed oil palm plantation offered only 450 jobs to more than 4,000 highlanders living within the plantation's boundaries. This would have left most of the people living around the plantation with no *chamkars* and no jobs, had the plantation not collapsed because of financial problems.

As for paddy rice cultivation, even if the province's available paddy land was evenly distributed throughout the province, there would still not be enough land to

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support all the highlanders living in Ratanakiri. Ongoing land speculation further complicates the problem, as groups of business people form associations to buy up hundreds of hectares of paddy land for agribusiness. This removes potential paddy land from use by highlanders. Aside from the fact that many highlanders traditionally have a strong resistance to farming paddy, the conversion of their agricultural system to wet rice agriculture is simply technically not feasible.

Protecting Ancestral Lands

Customary resource management of spirit forests, forest collection areas and fisheries has enabled Ratanakiri's indigenous people to sustain their culture and livelihood for generations. However, unsustainable commercial development is increasingly threatening the highlanders' ability to meet their food needs, while disrupting spiritual practices as well.

One of the solutions to the land crisis is for highlanders to obtain legal titles to their agricultural lands, to which — through occupation and use — they have already established occupancy rights. However, most of the indigenous people lack knowledge of land laws and cannot afford the standard fees for obtaining land titles. Literacy problems and the remoteness of ethnic minority communities from the provincial capital, coupled with the complexities of existing laws and procedures, effectively bar many highlanders from obtaining land titles.

In addition, many highlanders say they worry that if individual titles are parceled out for islands of cultivation land, surrounding forests will be open for speculators, concessions and timber companies, leaving no collection forests, no biodiversity, and no seeds for planting.

One answer would be for the government to grant long-term user rights for villages to manage and protect their collection and spirit forests, while allocating to villages communal titles for their agricultural land. The Ministries of Environment and Agriculture are currently drafting a Community Forestry subdecree authorizing village associations to access and utilize forest areas for specified time periods by making contractual arrangements with the government. Cambodia's 1992 land law is currently being revised to include provisions for indigenous communities to obtain title to their land. Local NGOs and government departments in Ratanakiri are working to educate the highlanders about their land rights. These are steps in the right direction.

Amendments to the land law include provisions for indigenous minorities not only to obtain private titles to their land but communal title to village agricultural land - including fallow *chamkars*. In this way, the highlanders can continue to practice shifting cultivation within traditional village boundaries rather than being designated one single plot of land per family.

Provision of communal titles may be more compatible with the highlanders' approach to customary resource allocation. "It's better to have one title for the whole village," said a Tampuen villager. "If individual plots are titled, one family might get hilly land, another would get rice field, and a third would get good red soil, which would eventually be depleted. It makes more sense to obtain titles for village lands as a whole and then decide communally who is going to farm where and when."

Both King Sihanouk and Prime Minister Hun Sen have expressed strong support for the new land law to provide communal land ownership rights for indigenous minorities. Pressure should now be brought to bear on the government to eliminate non-sustainable logging and protect the ancestral lands and forests of the highlanders from further commercial encroachment.

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EXPERIENCES OF INDIGENOUS COMMUNITIES IN RATANAKIRI PROVINCE, CAMBODIA

By Conny van den Berg

Photo: Christian Erni

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About two years ago a foreign company started logging our forests. The loggers did a lot of damage. Water sources were destroyed and polluted when they were making roads into the forest. Falling trees landed on bamboo bushes we need for building houses, and ruined other bushes and plants we used to gather fruits, vegetables and medicines from. Apart from this, wildlife has left the area because the animals got scared away by the noise of the chainsaws. We do not like this logging in our forests but we cannot make the company go away. They have offered to pay for all the damage done. The village men were doing the negotiations. We ended up with wood for our village hall and a school building, but that was it. We, the village women, do not feel it is enough for all the loss this logging has caused us[1].

The above statement shows just some of the compli cated issues that arise due to environmental destruction on indigenous lands: loss of means of subsistence and water pollution, but also a disturbance in the relation between men and women. The women who told me their story were from a village of the Kreung people, in O'Chum district, Ratanakiri province in Cambodia, but they could have been from any other developing country. In many developing countries forests are cut, dams are built and roads are constructed in the name of progress and economic development. These developments have their effect on the natural resources of such countries. Many indigenous people are dependent upon forests and other natural resources, which are crucial for their survival. Marginalization of indigenous people often goes hand in hand with alterations in their natural environment. People who could always rely on the forest to provide them with vegetables, fruits, wildlife, housing materials etc, suddenly find themselves with nothing once the lands they have always lived off are found to be of economic interest to their governments and (foreign) investors. But what does all this mean for the individual men and women of indigenous communities? Are men and women affected differently by environmental problems? What does it mean for the relationship between men and women? Will the gender division of labour change or stay the same? These are some of the questions I would like to explore in this article and I will use the situation in Ratanakiri province in Cambodia and its indigenous people to address them. Before going into these issues, I will briefly describe the main features of the province and its people.

The Province and Its People

Ratanakiri has a number of features that distinguish this province from the lowlands of Cambodia. Dense forests cover the region's hills and mountains. Add rivers, streams, crater lakes and numerous waterfalls to this and a beautiful landscape arises. The forest and mountains are home to many different indigenous ethnic groups who are usually referred to as hill tribes or indigenous highland people (see article by Sara Colm in the same issue). Although they are a minority compared to Cambodia's total population, in Ratanakiri they make up approximately 70 % of the provincial population. This figure is rapidly declining due to in-migration of lowland Khmer from other provinces. All indigenous highland people have much in common, such as practising swidden cultivation. In addition to their agricultural system, they have a similar belief system based on animism. Their belief system, traditions and agricultural system are closely intertwined. Natural resource management is embedded and integrated into indigenous culture and religion. And the natural environment, which is believed to be inhabited by spirits, is regarded with respect and care[2]. (On indigenous religion and conservation, see also Sara Colm's article).

Women's and Men's Roles

To understand the implications of natural resources degradation for indigenous men and women in Ratanakiri, it is important to address the traditional division of labour between the sexes and the different roles men and women play in decision-making in indigenous communities.

Although women and men are both involved in agriculture and other productive work, they each have their own distinct tasks. Men are generally involved in doing work that is regarded to be heavy, such as felling trees, burning the fields and hunting. Women do the so-called light work, such as gathering vegetables and fruits, selling these products at the market, and looking after pigs and chickens. As in most societies, indigenous highland women and girls are responsible for reproductive activities. Men are only occasionally engaged in tasks such as childcare, fetching water, collecting firewood or cooking, when their wives are ill or not around. However, certain reproductive tasks[3], like weaving baskets or repairing houses, are mainly performed by men. For women, the combination of productive and reproductive work leads to a heavy workload with hardly any leisure time[4].

Furthermore, there are differences in decision-making power between men and women. Women generally have as big a say as men in financial and agricultural matters, albeit not to the same extent in every village. Such decisions are made within the household. Beyond household level, women participate very little in decision-making. Village political life is more or less dominated by men. Women are seldom part of the group of village elders who

serve as an advisory board in case of disputes. Women usually do take part in village meetings. Through a democratic process, in which, theoretically, everybody can express their concerns, the village comes to a decision. However, people with more prestige, wealth, education or knowledge will usually have more confidence and, as a result, have more to say than others. The majority of these "others" generally consist of women, since they tend to have less education, are shy and have lower self-esteem[5]. The heavy workload of women is one of the major factors that prevents them from participating in education and village decision-making[6]. They cannot devote as much time to education and meetings as men because they are too busy running the household, after they have come back from their fields.

Gender Issues and Environmental Problems

The balance between the livelihood system of indigenous highlanders and natural resources is a precarious one. It is only sustainable when certain criteria are met. Population must be low in areas were swidden cultivation is performed[7]. In the last ten years, this balance has been disturbed by logging operations, industrial plantations and migration of people from lowland Cambodia and Vietnam. In addition, hydropower dams have been causing problems. For each of the above mentioned issues, I would like to describe the specific problems it causes for indigenous women and men in Ratanakiri.

Logging

Logging, both legal and illegal, is a big problem in substantial parts of the province. Large scale concessions have been given out to two companies, although only one of them is actively logging. The concession area of one of the companies covers much of the O'Chum, Taveng and Veunsai districts. The main problems that logging causes for villagers in this area have already been touched upon in the introduction to this article. Here, traditional water sources, where women go to fetch drinking water, have been destroyed in the course of road construction. For women, this means having to walk further to other water sources. Fetching water is already very time and energy consuming. Women usually fetch water three times a day, and carry around 20 litres of water stored in gourds in back strap baskets. It is not only water fetching that takes more time and energy. In addition, women have to spend more time finding forest fruits and wild vegetables as a result of the falling logs destroying the undergrowth. For men, hunting and gathering forest fruits has also become more problematic. Animals lose their habitat and get scared away by noise from trucks and chainsaws. Age-old fruit trees, although not cut for timber purposes, are damaged[8]. In those cases where logging has some benefits for indigenous communities, these are not equally distributed among men and women. In one instance, the logging company asked villagers to show them the locations of good quality timber, for US$ 1.50 to US$ 3.00 a day. But those selected by the communities to do this job are, without exception, men. It is not that women would not like some extra money, but they do not know the forest as well as men. Although the villagers did not report any difficulties with these men assisting in logging, it nevertheless leaves women with a comparative disadvantage as none of them directly benefit.[9]

Beside the impact on the workload and natural resource collection and the distribution of benefits, logging has its effects on gender relations in some communities. This is illustrated by the following example. In some of the villages the company has acknowledged the loss and damage done to the village forests and they have offered compensation. Dealing with the outside world and general village politics are the domain of men. Also, in meetings about compensation with the logging company, village men, mostly elders, village and commune chiefs, are the ones representing the village. The men were satisfied with the outcome of this meeting but the women had wanted more compensation. However, as the women were not represented in the meeting with the company, they did not have an opportunity to voice their demands and opinions. This incident caused some division between the village men and women. Although it might seem here as if men could have asked for anything they wanted, in fact it must be noted that they, too, are in a very weak bargaining position. If they had refused what the firm had offered, the village would probably have ended up with no compensation at all because the indigenous communities do not have the means to put pressure on the company. Nevertheless, gender divisions among community members weaken their attempts to control logging. Equal decision-making power for men and women could contribute to unifying villagers and working towards solutions to the problems caused by logging.

Plantations and Migration

Since the 1950s, the Cambodian government has encouraged lowland Cambodians to settle in the north-eastern provinces of the country. Little regard was given to the fact that these provinces were already inhabited by indigenous peoples, for whom the land and forests were the basis of their livelihood. Voluntary migration[10] came to a virtual halt during the Khmer Rouge period, to be continued at a particularly rapid pace in the last ten years[11].

Elderly Kreung woman looking after her grandchildren. Pory Commune, Ratanakiri Province. Photo: Christian Erni

Kreung woman weaving with traditional backstrap loom. Pory Commune, Ratanakiri Province. Photo: Christian Erni

Land scarcity in other lowland provinces is one of the main reasons for migration, and the apparent availability of land in Ratanakiri is one of the attractions of this province. Moreover, communications have improved dramatically, making it easier for people to move from one part of the country to another. Migrants tend to settle in and around the provincial capital of Ban Lung and the district town of Bokeo.

With immigrants coming to Ratanakiri, plantations were established. The first plantations came about during the French colonial era, with rubber being the main crop produced up until the Khmer Rouge period. As with immigration, developments were slow until the early 1990s, due to the 30 years of war. After the elections of 1993 and the country's opening of its boundaries to the world market, the number of commercial plantations in Ratanakiri increased enormously. The main crops planted at the moment are cashew nuts, coffee, rubber, and various fruit trees. Land along the main roads between the border with Vietnam and Stung Treng province is particularly sought after by plantation owners.

Problems with the Commoditization of Land

Ratanakiri's indigenous highland peoples have a customary land tenure system, which is based on actual village needs. A village as a whole has user rights to an area and, traditionally, individual land ownership does not exist. If newcomers want to clear a plot of land for cultivation, they must settle in the village. Within the community, land is then divided between all families according to their need. Village boundaries are usually marked by rivers, roads, streams, hills and mountains and are only specified when two villages use land very near to each other. Village elders of the villages concerned will meet to discuss and set the village boundaries when necessary. As indigenous communities only recognize use right, not ownership rights of an individual to land, it cannot be sold.[12]

Migration and the demand for land for cash cropping has led to land becoming a commodity with monetary value. Around Ban Lung, Bokeo and along the road to Konmum, land has become a scarce and much disputed asset. The government and outsiders have been selling or even taking land from local villages. This has led to increasing insecurity over the access to, and control over, customary land among indigenous communities. Due to this feeling of insecurity, villagers themselves start to sell parts of their land. They feel that if they do not sell the land themselves, somebody else will come and take it. Although, traditionally, land cannot be sold, instances of selling land to companies, to the government or to migrants coming from lowland Cambodia are becoming

more prevalent. This often happens without consulting the elders of the village. This is forcing a gradual shift in the customary land tenure system.

Due to these changes, indigenous highland communities now have to deal with the sale of village land. The role of women in selling land remains unclear. In two villages where land is being sold, it appeared that the decision to sell the land was made by the whole family. However, the men made the final decision. One man said that he would not have sold family land if his wife had not agreed to it. It seems that decision-making is quite equitable with regard to this issue. However, it should be taken into account that a favourite saying of village women is to *'taam pedaai'*, which means that they will 'follow their husband' in what he wants or decides.[13]

Agricultural Problems

Land grabbing and land sale is also leading to increasing agricultural problems for many villages along the main roads and around district centres. Their agricultural system of swidden farming requires 6-8 ha. per family[14] for maintaining a sufficient fallow cycle for their fields. A smaller area means that the fallow period becomes shorter, which again negatively affects soil fertility. The major problems faced by villagers in these areas are directly related to land pressure: the increasing difficulty in finding good quality land for their swidden fields, declining rice yields and an increase in weed pests.

The trend of shorter rotation periods and thus increasing amounts of weeds leads to an increasing workload for women, as they are primarily responsible for weeding. In one of the target villages of the study, weeds were not a problem twenty years ago. At that time, they only had to weed twice a year but now three times is necessary. Villagers related the increase in weeds to a decrease in mature trees. The absence of such trees leads to less ash after burning and a resulting decline in soil fertility. Shorter rotation periods for men mean that they have to cut trees and prepare soils more often. Instead of once every 3 or 4 years, in some villages they now have to do this every 1 or 2 years. Upland agriculture is very labour intensive, but environmental degradation increases the pressure on labour even further[15].

As labour is such an important input, the problems in agriculture are felt most in families that lack male family members. Most widows and divorced or separated women live with relatives, such as their children or parents. These women do not cultivate upland rice on their own. If widows can rely on the labour of their male relatives, they are in a similar situation to standard households, but a minority of the widows do not have access to male labour. These women have a hard time trying to make a living. The size of the swidden field of these widows is usually about half that of other families: 0.5 ha. as opposed to the usual 1 to 1.5 ha. In addition, they rely on fieldsthat are just abandoned by other people. These swidden fields were abandoned because of decreasing soil fertility, the increase of weeds and declining yield. The widows choose to use these lands because they lack the access to male labour for cutting trees. However, growing rice and vegetables on these fields will obviously not lead to good harvests. Since these widows already cultivate fields that do not have very fertile soils, an overall decline in soil fertility due to increased pressure on land will further aggravate their problems.[1]

Dam Construction

Hydropower dams have also caused problems for the indigenous peoples of Ratanakiri. For the provision of electricity supply to Ban Lung, a reservoir was built that displaced two villages from their traditional lands, including valuable paddy fields. The location of this dam is near the district town of O'Chum and near Ban Lung town. Population is already high in this area on account of immigration, and is increasing more rapidly than anywhere else in the province[17]. The problems related to land pressure, as already described in the previous paragraph, are thus hard felt in this area.

Another important dam that impacts on the lives of highland people in Ratanakiri is the Yali Falls dam on the Sesan river in Vietnam. The dam is built on the border with Ratanakiri and is causing irregular water supply in the districts along the river. Floods are not only occurring in the rainy season but also in the dry season, destroying harvests and making it more difficult and dangerous to go out fishing. In a study by the Fisheries Department of Ratanakiri, it was reported that indigenous women felt more affected by the construction of the dam than men. This is mostly due to the loss of independence and self-reliance. Women used to catch fish, pan for gold, gather vegetables and other products such as bird and reptile eggs from the river banks. They also used to cross the river by themselves. The irregular water surges makes it more difficult for women to carry out these activities and this makes them feel more dependent on men than before[18].

In addition, due to the regulation of the water, fish ecosystems are disturbed. This has caused a decrease in the overall fish population in the Sesan[19]. As a consequence, highland communities settled along this river in Ratanakiri have already reported dietary and income problems. Most of these villages are dependent on fish as their main source of protein and to some it is an important source of income, as they sell it at local markets. The decreasing fish population means an increase in work-

load for both men and women because they will have to spend more time catching the amounts they need.

Another important impact is the decrease in water quality. As the reservoir was not properly cleared from its vegetation prior to flooding (due to the high costs), rotting processes are causing algae to contaminate the water. This not only reduces the fish population further, but also leads to direct health hazards for humans. In the villages along the river, there are already reports that illness and deaths have increased since the building of the dam[20]. As it is women's responsibility to look after sick family members, the decrease in water quality is not only detrimental to their own health but an extra burden for them too. Furthermore, because women fetch most of the water, they have to look for water sources further away from the village if they can no longer use the river.

Coping Strategies

Dealing with a rapidly changing environment due to logging, immigration, the establishment of plantations and dam construction requires changes in, and adjustments to, the traditional livelihood systems of indigenous highland peoples. For many highlanders, cash income generating activities are one of the most important ways of responding to a changing environment. For instance, when a family lacks rice because of decreasing yields due to land pressure, money will enable them to buy rice on the market. While this strategy may solve some of the short term problems they face, it also causes greater pressure on already and increasingly scarce resources. Furthermore, in addition to income generation, several different ways are being explored through which to attain food security because of decreasing yields in swidden fields[21]. Paddy rice cultivation and cash cropping are examples of such strategies.

Marketing of Natural Resources

Whereas previously, forest products were only used to supplement the diet, for construction and in occasional bartering for products from the lowlands, some of the indigenous villagers have now turned to using the forest as a means of income. Not only wildlife, resin, fish, and certain kinds of fruit but also trees are in high demand and valuable. The changing view on forest products is demonstrated by the following statement of a Tampuan man in Malik village, *'Before, we used to run away when we saw a cobra, now we try to catch as many as we can because they are worth a lot of money'*[22]. Another example of unsustainable management of resources due to the fact that they area now being viewed only as a source of cash are certain kinds of fruit trees. Malvanut trees in particular are now simply cut for harvesting purposes. People want to collect as many fruits as they can, so instead of climbing trees and picking them, the whole tree is cut[23]. Depletion of resources because of the changing circumstances is further aggravated through such coping mechanisms.[24] As yields of swidden fields drop, the forest becomes an increasingly important source of supplementary food. Tubers, forest fruits and vegetables are essential in periods of rice shortage. With plantations and logging becoming more prevalent, and the exploitation of forest products being intensified for commercial reasons, this strategy to attain food security may, for some communities, soon no longer be a solution.

Cash Cropping

The adaptation of their agricultural system not only leads to a change in crops grown, but also to changes in the traditional division of tasks and responsibilities between men and women. Men are slightly more involved in cash crop production than traditional subsistence farming. While men and women plant and harvest cash crops together, the weeding is mainly the task of women. And while, with traditional crops, women have an important role in the selection of seeds, it is the men who do this for cash crops. In addition, men tend to choose what kind of cash crops they will grow. Farmers explained this by saying that men had more knowledge about cash crops because they attended more training on this subject than women. In addition, they have more contact with middlemen. These middlemen provide villagers with information about what kind of products the market is interested in and which products are the most profitable. This, however, does not mean that women are not involved in the selection process at all, since men do discuss their views with their wives[25]. Although it is mainly the men who sell the cash crops, the benefits are for the good of the whole family. In addition, women are still involved in deciding on the price of the products. Before selling the products, husband and wife discuss how many kilos they would like to sell and at what price.

Although financially, cash crop production does not seem to have an adverse impact on gender relations, the gap in knowledge between men and women regarding cash crop cultivation leads to a decrease in decision-making power for women in agricultural production. This has implications for female-headed households as they not only lack access to male labour but, in the case of cash cropping, they lack access to knowledge on this type of cultivation as well.

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Paddy Rice Cultivation

Paddy rice cultivation is a common method used by indigenous communities to adjust to their changing natural and social environment. There are many reasons for families to engage in paddy cultivation. The yields per hectare of paddy rice are said to be higher than that of swidden fields, although this is contested. More important is that permanent use of the same field is possible. Therefore, in response to decreasing yields from swiddens, some families started to create paddy fields. Another reason for growing paddy is because it can be sold at higher prices than upland rice. Just like in upland rice cultivation, men and women have different responsibilities in paddy rice production. Men construct and maintain dikes and canals and, although women are well capable of ploughing paddy fields, it is generally seen as being a man's task. Women are more involved in the planting and harvesting of rice.

Paddy cultivation brings some significant changes to indigenous highland society. Paddy land is not regarded as communal property like swidden fields, but rather as individual property. Bourdier[26] argued that families would want to keep the paddy land in their own hands because of the invested labour and capital. He takes the argument even further by saying that fathers would want to pass on the land to their sons. Matrilineality and matrilocality is, for quite a few tribes, one of the more important characteristics. Inheritance rights are organized through the family of the mother. From being a matrilineal and matrilocal society, indigenous communities that are highly involved in paddy rice cultivation might become patrilineal and patrilocal. But so far, no evidence of such a change has yet been found. Invillages where paddy cultivation is becoming increasingly important, access to and control over this land for men and women has not changed from when they were still involved in swidden cultivation. The traditional rights over land in case of death or divorce still remain as they were before. Both in Brou societies, which are patrilineally organized, as well as in Jarai society, which is matrilineal, women get full control over the families' paddy rice field if the husband decides to leave his wife or dies. In Jarai villages this is even the case when the wife decides to divorce. A Jarai woman would always get the paddy rice field because she has to look after the children. Involvement in paddy rice cultivation will therefore not necessarily give women less access and control over land.[27]

Furthermore, villagers reported that the creation of paddy fields has an adverse effect on the natural water system of the village land. Wetlands dry out and are also turned into paddy fields. Streams contain less water than before because the water gets directed towards the paddy fields. However, up until now this has still not led to water shortages.

Despite the reported negative impact of paddy cultivation, both women and men regard paddy rice cultivation as being easier than highland rice cultivation, if they have all the necessary equipment, such as ploughs, harrows and buffaloes[28]. It is less time and energy consuming because cutting trees and weeding is no longer necessary, thus reducing both women's and men's workload. A disadvantage to this system of cultivating rice is that vegetables and fruits cannot be grown on the same plots, as is the case in swidden fields. Some villages have separate home gardens, but others are solely dependent on the forest to supply them with the necessary vegetables and fruits. Such villages will face dietary problems if the forest products continue to be depleted at the current rate.

Conclusion

The impact of environmental problems on indigenous communities as they prevail in Ratanakiri today are felt by both men and women. In general, men and women face an increase in their workload. They need to spend more time on their agricultural activities,, and on the gathering of forest products and other natural resources in order to achieve the same results. However, women already face a higher workload than men because of the combination of activities in and outside of the household. Women cannot afford to spend more time on their tasks, as their workload already puts them in a more difficult position compared to men. The time needed for education of girls and women, and the time women spend on village decision-making will decrease even further because of the environmental problems.

The group of people in Highland villages that are most vulnerable to changes resulting from the depletion of natural resources are widow families without access to sufficient male labour. While other families can choose to diversify their agricultural production system by cultivating paddy rice or growing cash crops in order to compensate for lower yields and less fertile soil, widows cannot easily do so. Both for starting paddy cultivation and for cash cropping they need the input of male labour and knowledge., Widow families are therefore even more dependent on forest products for their survival than others.

Environmental problems as addressed in this article are not easily solved. Some organisations in the province have started activities such as awareness raising on land rights issues, community forestry, soil and water conservation techniques and agro-forestry. Giving women the

opportunity to be actively involved in the planning and implementation of such projects is essential, due to the different problems they face with regard to the impact of environmental degradation. Their needs and opinions will have to be incorporated into project development in order to prevent further adverse impact on their lives caused by the rapidly changing conditions in this province.

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Notes

1 Berg 1999
2 Emerson 1997, p. 10-11
3 In this article, reproductive activities are defined as all activities that are needed to maintain and reproduce the labour force, such as bearing and caring for children, repairing and maintaining houses, cleaning, cooking, gathering firewood, fetching water etc. Productive activities are defined as all activities that will eventually generate an income either in cash or in kind, such as agricultural activities, marketing produce, wage labour etc.
4 Berg 1998b, p. 13-15
5 This was observed during meetings held with project staff and villagers. It could be that when villagers are conducting a meeting on their own, without outsiders, women are a lot more outspoken. However, it is known that in some villages women cannot even attend village meetings. At the same time, the older people get, the more status and power they acquire, this is true for women as well as men.
6 Berg 1998b
7 Harris 1987, p. 254-255
8 Berg 2000, p.22-23
9 Ibid., p.22-23
10 Some lowland Cambodians were forced to settle and work in Ratanakiri under the Pol Pot regime. The total number of Cambodians coming to Ratanakiri under his rule is unknown.
11 McAndrew 2000, p. 4
12 Berg 2000, p. 10
13 Berg 2000, p. 34-35
14 Colm 1996, p.10
15 Berg 2000, p.25-26
16 Ibid., p. 28-30
17 McAndrew 2000, p. 4-5
18 Department of Fisheries 2000, p. 32-35
19 Terra 2000
20 Department of Fisheries 2000, Berg 2000
21 Adapting to the adverse effects of the Yali Falls dam has resulted in ethnic Lao families turning to swidden cultivation in the Highlands as opposed to paddy rice cultivation (Department of Fisheries 2000, p.31).
22 John 2000b
23 Emerson 1997, Lievoux 1999, Berg 2000
24 Berg 2000
25 John 2000.
26 Bourdier 1995
27 Berg 1998b, p. 11 & 21.
28 Ibid. 1998b, p. 12; Kelkar et al. 1997, p. 43-45

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WAITING FOR TREES TO GROW:

THE DAO AND RESOURCE CONFLICTS IN BA VI NATIONAL PARK

By Tran Thi Lanh

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"I want to grow local species," Hai says about the forest land that has been contracted to him. "I don't want to grow what the Park says," he continues, looking right at the village leader, Mr Bay. Hai and Bay are villagers from Yen Son, which lies within the buffer zone of Ba Vi National Park. Bay looks at Hai, but doesn't say anything. He knows Hai is just being stubborn. And both men know they have no choice but to follow the land use plan developed by the National Park. After years of waiting, Yen Son has been contracted about 300 ha of buffer zone land, and the villagers will grow mostly tea and fruit trees. Under normal circumstances, farmers like Hai and Bay might be quite happy to manage a plot of forest land. But Ba Vi is not a normal place, and the villagers are not happy people.

Land Use Conflicts

The causes for natural resource management crises in Vietnam are varied. They include population growth; government resettlement programs; internal migration to the highlands; deforestation by loggers; industrial cropping of coffee and other cash crops; and the construction of dams, tourist sites and other infrastructure projects.

In particular, relations between minority communities and outsiders are the source of many problems. In cases where government offices are involved, there are two possible sources of conflict: either the policies are not well thought-out to begin with, or the people implementing policy have an attitude problem. In Vietnam, both of these situations have occurred.

Ba Vi is a good example. Ba Vi is a small highland area only 75 km from the capital city, Hanoi. The creation of a national park was the catalyst for a number of conflicts in the nearby Dao villages – Yen Son and Hop Nhat. Government policy is not entirely adequate to solve the conflicts, but more importantly, government offices have ignored problems or followed their own interests, with little regard for the poor.

For example, Yen Son village lost 19.5 ha of land in 1988, when Ba Vi district gave it to the director of the Ao Vua tourist company, Nguyen Manh Than. To this day the company has not paid any taxes for the land. The district gave no compensation to the villagers. Then, last year, the

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Ba Vi National Park gave the same company 107 ha of land that had earlier been contracted to the villagers. The land is for tourist facilities, and will generate significant revenues for the company, none of which will be returned to the villagers.

The Dao People of Ba Vi

The Dao (pronounced 'Zao') are one of Vietnam's most numerous ethnic minority groups. They number over 700,000 across the northern part of the country, having moved south from their ancestral homeland in China to parts of Vietnam, Lao and Thailand (where they are called 'Mien').

The Dao have a complex culture, which they record in large books written in Chinese script. They have their own language and many unique cultural traits. As a rule, Dao people have a very close relationship with the forest. In particular, the women have extensive knowledge of medicinal plants that come from the forest.

Dao people have lived on Ba Vi mountain since the early twentieth century. They originally lived in caves and along streams in the highest reaches of the three peaks at Ba Vi. In 1959, the government resettled the Dao to the base of the mountain, below 100m above sea level. The resettlement process took three years, and involved about 130 people. In 1963, the Dao received 18 hectares of wet-rice paddy land in two villages: eight ha in Yen Son village and 10 ha in Hop Nhat. The two villages are seven km apart.

There are now 1,700 people living in these two villages, still farming the same 18 ha of land. In Yen Son, there are 164 households. Obviously, the villagers do not have enough land to support themselves. The main result is that villagers have cut trees to sell for money, and they have sold their labour as well. Also, women now sell their traditional medicines – formerly a sacred aspect of Dao culture. With living standards still low, social problems like alcohol abuse and gambling have started to appear.

Aware of these problems, in 1990 a government program offered the two villages 700 ha of eucalyptus and 300 ha of acacia to plant, paying farmers 320,000 *dong* per ha (about US$50). The trees were planted between 100 and 250 metres above sea level, and the original goal was to harvest the trees after seven years.

However, ten years have passed and only now are the trees being cut. No other crops can grow under the toxic eucalyptus, including medicinal plants. The villagers knew there would be problems with the tree, but the government program PAM (Programme d'Alimentation Mondial, funded by the United Nations) chose eucalyptus because it grows quickly and can be used for paper.

In 1991, the Ba Vi National Park was created, and many problems have surfaced as a result of the attitude of the park management board and how they have implemented policies. The Park has overseen substantial investment in roads, offices, guesthouses and other tourism services. But only recently did the villagers receive permission to cut the eucalyptus, which is now part of the National Park's 'particular use' forest which can be used for only a limited number of purposes, and only with the Park's consent.

There is no clear policy for the Dao community to use park land, despite the contracts they signed to grow and harvest eucalyptus. Furthermore, none of the 43,000 people living in the seven communes surrounding Ba Vi have rights to use the Park's 'particular use' land.

The farmers grew angry when they were first stopped from cutting the eucalyptus, especially as they could not grow any other crops under the toxic trees. Farmers like Hai want to choose their own tree crops on land up to the 250m level. The Park initially did not answer requests for permission to cut the trees or gain access to more buffer land. Villagers say the Park management board was worried the Dao would sell the land if given land use rights certificates, so they have limited allocation to contracts (*khoan*), which do not provide the 'five rights' that a land use certificate would provide (the rights to sell, rent, transfer, inherit and mortgage land).

Until contracts are issued and the Dao farmers of Yen Son can begin to grow tree crops, their situation will continue to worsen. The Dao have responded to the ban on access to the forest by entering the Park at night to hunt animals, cut trees and pick herbs for medicine. They know they can go to prison if they are caught. This makes the Dao feel like thieves and criminals for doing what they have always done traditionally: their very culture has become 'against the law.'

No government offices have responded to the problems in Ba Vi. The Dao have received no help from the district government, as the district does not have authority over the Park. The welfare of the Dao community is also the responsibility of the Council for Ethnic Minorities and Mountainous Areas (CEMMA), but there has been no help from the district or province branches of this government body.

The Park management board, the district government and CEMMA are all organisations that make the state look like it is responding to society's need for development. But in practice these needs are not being met. Too many organisations for one small group of people means no one organisation feels the need to act. Too much bureaucracy stops any clear policy from emerging.

TEW and the Dao Community

Yen Son village was the first area of TEW field work – as the village was the site of director Tran Thi Lanh's dissertation research. TEW's goal has been to strengthen the Dao community so they can live permanently in the National Park's buffer zone, and participate fully in the management of the Park, whether as tourist guides or as a living

Dao women during a training workshop organized by TEW. Photo: TEW

example for researchers and tourists who wanted to learn about traditional culture and protecting natural resources.

To reach this goal, TEW set up a series of pilot models with the Dao farmers from Yen Son village. Starting in 1992, TEW helped form a herbal medicine study group with 11 elderly women healers from the village.

These women went on three study tours to learn more about herbal medicine and put their already vast experience in perspective. After these study tours, the 11 women returned to Ba Vi and took part in a training-of-trainers course facilitated by two well-known herbal medicine doctors. The women went to the forest along with the doctors to identify all the trees and plants they used for medicinal purposes. The 11 women said they needed the National Park to allow them to enter the forest to collect medicinal ingredients.

Another pilot project that grew out of Lanh's original research and a 1992 PRA was a garden model based around seven farmers who were resettled by the district CEMMA office when their original homes at Ao Vua (in Ba Vi National Park) were turned into a tourist zone.

The farmers were not happy with being resettled, and many wanted to return to the area where they formerly lived. TEW began working with one key farmer, Duong Tien Nhan, who showed an ability to learn quickly. This farmer was brought to visit several different minority communities where the people lived in forested areas and had a good knowledge of sustainable shifting agriculture on sloping land.

Mr Nhan was also involved in several training courses on his land that were facilitated by the TEW director in 1992. After two years, his garden and household economic system was a model for the other farmers in the village, and TEW began bringing study tours from other areas to visit his house – including a delegation from Lao in 1999.

After work with this garden pilot model was well underway, TEW again carried out a PRA, in 1996, to check on community problems. The farmers told TEW their main concern was gaining land use rights for hill land up to 250 m above sea level – part of the National Park's 'particular use' zone.

TEW has tried since then to help the community obtain formal land rights. This is the most important step in strengthening the farmers so they can play an active role in the Park. However, this effort has largely failed, because it is clear that the Park management does not want a strong community role to hinder their plans.

The Park has continued to stall on the issue of land use rights, and only now have some villagers received their contracts. These contracts leave land use decisions firmly in the hands of the National Park, which wants to grow cash crop varieties that some of the villagers do not wish to grow.

The Dao and Government Policy

The problems in Ba Vi follow many common patterns that can be seen in resource conflicts involving small communities and the state, or other large and powerful institutions. In the face of new rules, farmers usually follow their traditional habits and customs. If these customs contradict the law, the law is often ignored. This means that farmers will often break the law to maintain their values – which are an integral part of their culture. If outsiders pressure farmers to change their culture, outright conflict may result.

This has not occurred very often in Vietnam, but as pressure on natural resources increases, the state must be prepared to settle conflicts between the law and indigenous cultures. State laws must respect that traditional community laws are very old and stable, and so must be respected.

The situation in Ba Vi is a good example of how difficult it is for central governments to solve grassroots-level conflicts. Even the provincial and district governments have been unable to act constructively. In general it appears the Park management board has not fit the Dao into their development plans.

To make up for the lost land the Dao now travel to other areas to collect medicinal herbs, which they process and sell to outsiders. Herbal medicine knowledge passed from mother to daughter is one of the most distinctive and important aspects of Dao culture, but it is now being damaged by the push to market the herbs.

Traditionally, only women picked medicinal herbs, but now men are involved in the trade as well. The community receives a good deal of income from selling herbs — so much so that some Dao have taken advantage of outsiders and sold inferior or fake medicines for money. They do not care about the prestige that may be lost from this practice, or the fact that a formerly sacred aspect of their culture is being sold off for money. History indicates that if the Dao continue to lose their culture, social problems will only increase.

Land Allocation in Vietnam

An important question in evaluating the situation in Ba Vi is whether the community and TEW had any option other than agreeing to support the contracting of land. Now that contracting is a reality, it will be very difficult – perhaps impossible – to obtain land use certificates for the villagers. The contracts are for 50 years, and the Park and the Ministry of Agriculture and Rural Development (MARD) can quite easily respond to criticism by closing the issue until 2050.

However, a close look at the legal documents and regulations indicates that there might be a case to press for full land use rights. This would have take a very strong

effort at advocacy, as laws clearly indicate that special use forest land (except buffer zones) should not be used for production.

The main documents guiding forest land use are the 1993 Land Law, Decree 02/CP of 1994 on forest land allocation, Decree 01/CP of 1995 on forest land contracting, and guidelines issued by the Ministry of Agriculture and Rural Development on implementing decrees 02/CP and 01/CP.

The main principle behind current government policy is that all land should have an owner/manager who has the right to benefit from the land and the responsibility to protect and use it according to government laws. This comes after a long period of failed efforts to use and manage land collectively.

The 1994 Decree 02/CP on forest land allocation states that all organisations, families and individuals are all eligible for forest land allocation. Other points that are relevant include:

1. Land use after allocation depends on the type of forest. Specifically, reserved forests should be allocated only to protect the environment; special use forests (like national parks) can be allocated to protect the environment, develop ecological models or for scientific experiments; and production forest can be allocated for economic benefit (Article 2, Decree 02).

2. Allocation by the management boards of national parks and nature reserves is aimed at managing and protecting these areas. For areas where inhabitants cannot be resettled elsewhere, the management board should contract out forest areas to families for protection. In areas where land is being rehabilitated, management boards can allocate contracts for families to grow and protect forest. On land where there are annual crops growing, the management board has the right to allocate land to families for agricultural production, as long as they follow existing legal regulations (Article 8, Decree 02).

Forest contracting follows a different set of rules, as set out in Decree 01/CP of 1995. Agricultural land, protected forest, special use forest and water surfaces can all be contracted out to organisations or individuals.

Dao women of Ba Vi. Photo: TEW.

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The contract should contain specific details about financial aspects, the rights and responsibilities of both parties, and a commitment to respect the terms of the contract. The contractor has the right to determine the area of land contracted and the crops that will be grown on the land. The contractor can check to determine if the terms of the contract are being followed, and if violations occur the contractee can be punished or, presumably, the contract can be cancelled.

The contractee, if they follow the land use plan developed by the contractor, has the right to benefit from their labour. They reap the harvest from trees or other crops grown on the land (presumably with some small portion set aside for the owner / manager of the land, although this is not discussed in the decree).

The impact of allocation versus contracting for farming families is obvious. With allocation, the farmer can sell, rent, transfer, inherit and mortgage the land (to receive loans, for example). These rights do not exist with a contract.

With contracts, villagers must follow a specific plan developed by the contractor. They have no right to change this plan and the contract can be cancelled if they do not follow all the agreed elements. If they move to another area, they lose the contract. Similarly, if a farmer contracted land dies or can no longer work the land, the contract does not necessarily pass to next of kin (although in Ba Vi the contracts have the names of both husband and wife, a stipulation of TEW).

The laws as described in Decree 02 of 1994 on forest land allocation and Decree 01 of 1995 on forest contracting clearly indicate that the Ba Vi National Park followed the necessary rules and had no legal obligation to allocate the land. However, the land in question, from 100m to 250m above sea level, is in the Park's 'particular use zone', not in the 'strictly protected' area. The particular use zone is a 'rehabilitation' area where Park plans called for the planting of commercial crops like pine, tea, cinnamon, lychee and longan. Guidelines issued by the Ministry of Agriculture and Rural Development on forest allocation seem to indicate that this type of land can be allocated, not only contracted. The guidelines state that:

In rehabilitation and administrative service areas, it is not necessary to move people out. The director of the special use forest can check land use following plans with the district administration, for all types of agricultural land, rural residential land, and land with changing use lying in natural areas that are recorded in investment projects. This is in order for the district administration to allocate the land to families (including family members of national parks and nature reserves) living in the area. (emphasis added)

Although somewhat vague, this seems to indicate that if land in 'particular use zones' has a previous use that is not based on natural forest, then the land can be allocated for that purpose. In Yen Son and Hop Nhat, the villagers had legal contracts with PAM to grow and harvest eucalyptus. This makes the land 'production land' i.e. *land with changing use lying in natural areas that are recorded in investment projects.* The Park has tried to argue that the eucalyptus is 'forest' land, and therefore cannot be cut. But the eucalyptus plantation is clearly not a forest of any sort. The farmers have tried to lobby their case with the Ministry of Agriculture and Rural Development in Hanoi, but so far no one has stepped forward to challenge the Park's position. TEW is still exploring our options for work with the community, but outside NGOs can only play a small role in land allocation issues in Vietnam.

Roles and Responsibilities

The three main parties in the land contracting process were TEW, the villagers and the Ba Vi National Park. The district administration and the Ha Tay Forestry Department also played small roles. TEW only provided the initial funds for the Park to carry out contracting, as well as support for the villagers. This support consisted of limited training in land allocation through one meeting led by TEW staff, some small funds for equipment and travel, and advice and support in contacting government authorities and Park officials. After the Ministry of Agriculture and Rural Development (MARD) took over the program in 1999, TEW was taken off the management board and had no formal role.

As a result, TEW has not been able to help solve the many conflicts over forest land that have emerged in Ba Vi. For example, many problems stem from the mapping process. The map drawn for this round of forest contracting was very similar to the map originally drawn for the contracting of the eucalyptus. However, there are now more households in Yen Son, making it necessary to break up some of the larger plots so new families could receive land.

The new map was drawn by the village TEW coordinator, a representative of the Ba Vi National Park, and the director of the cooperative responsible for the eucalyptus plantation. They did not discuss the map with villagers prior to releasing it at a meeting in 1998.

The TEW coordinator, Leu Van Trong, says that about 30 percent of families were unhappy with the new divisions, because they did not want smaller plots and because much of the land had valuable bamboo growing on it – which they obviously did not want to lose. Some villagers rejected the map and said they would refuse to sign a contract. Eventually, an agreement was reached whereby new families would have to pay for the bamboo or eucalyptus on their land. Many families have now come to accept that they have no basis to argue, although some have still not agreed with the map – especially if the new families have no money to pay for the bamboo or eucalyptus.

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In all, these conflicts are unfortunate because they have distracted villagers from more serious issues, like the land allocated to Ao Vua tourist company. The National Park has used the Dao people and their status as an ethnic minority group to get money from the government which has not been put back to the community.

The Park's attitude to the villagers has always been top-down and there has been no effort to bring participatory methods into any of the work done by Park staff. For example, the Park tried to divide up the land by lottery, rather than draw an organised map. Perhaps this idea was put forward to avoid conflicts, but it seems more likely that the Park just thought it would be an easier way to accomplish the mapping task. Of course, the villagers rejected the idea because they already had contracts for specific plots, and they were afraid of losing the valuable eucalyptus and bamboo on their plots.

Most villagers did not play any role in the land contracting process. There were four main meetings involving the villagers. The first was organised by TEW to introduce the land allocation process. Then, the Dao villagers and TEW met with the deputy chairman of Ba Vi district, Nguyen Ngoc Quang, the deputy director of the National Park, Kieu Quang Ngoc, and the director of the Forestry Department of Ha Tay province, Dang Dinh Phuc.

The third meeting was between the villagers, TEW and Mr Phuc. Finally, a group of seven villagers came to Hanoi to meet TEW and following their process to explain their situation to several government offices, including the Ministry of Agriculture and Rural Development.

Many villagers participated in the meetings that were held in Yen Son, but because they were not involved in the actual mapping process, there were many problems and disagreements. Now, villagers have a very passive attitude, and they think they cannot change the Park's attitude. They say they will have to follow the Park plan, even if they do not agree with it.

Mr Nhan, who worked with TEW on the garden pilot model, sums up the attitude many villagers have towards the contracting process. Asked about the different steps involved, he dismissed it by saying: "I don't know clearly — cadres do this stuff." Women in particular have little knowledge of what is happening to the forest land, and most have no idea that their names will appear on the contracts.

In retrospect there is very little that TEW could have done about the conflicts that emerged during the process. In the case of forest land allocation, the government has issued guidelines on how to make the process as participatory as possible. If the program involved full land allocation, TEW could have invoked these guidelines to increase the role of villagers. As it stands, forest contracting is left to the owner / manager of the land, and they have no responsibility to make the process participatory. At this late date, it is up to the village and commune people's committee to solve the disputes, and it is not likely that TEW can help with this matter.

Solution Still Needed

A series of mistakes threatens to destroy the Dao community in Ba Vi. First, eucalyptus was planted instead of indigenous species; second, the National Park and the Land Department have done nothing for the Dao; and third, CEMMA has not stepped in to help.

The National Park was the main organisation responsible for contracting land, and their behaviour throughout the entire process has been top-down and insensitive to the needs of the villagers. There have been many problems with the Park administration, and TEW's ability to help the villagers has been limited largely because of the Park's role. The solution must involve handing over the rights to natural resource management to the Dao villagers themselves. This will make their culture 'legal' again, and the community will have the opportunity to thrive.

This article was originally written for the first issue of **Existence** *(January 2001), the newsletter of the Centre for Human Ecology Studies of Highlands (CHESH). It was prepared with help from TEW volunteer staff Michael Gray and is based in part on farmer interviews conducted in April 2000.*

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FORESTS, PEOPLE AND POLICIES IN THE CENTRAL HIGHLANDS OF VIETNAM

By Brigitte Junker

Migrant village at the edge of a forest. Photo: Brigitte Junker

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On top of a mountain a few kilometers outside of Buon Ma Thout City, the capital of Daklak Province, lies a new cemetery. There are just a few graves there now and the workers are busy landscaping and preparing the hillside for additional graves. A number of the graves are Buddhist and the names on the tombstones are Kinh (ethnic Vietnamese). The view is fantastic from up here. On a clear day one can see for miles over the plateau, not long ago covered by forest but now replaced by thousands of hectares of coffee fields and rubber plantations. Inscribed in Chinese characters on a Nung[1] tombstone in another cemetery in the north of the province are the words: "I came to plant gold, have yet to obtain the gold, but at least have a piece of land to bury one's body." Here, gold refers to the coffee which, in comparison to the traditional crop in the North, rice, is much more valuable and which many of the migrants who come to Daklak hope to plant. However, before one can reap the profits, there are often many years of hardship to endure. But, at least in comparison to the congested northern highlands, land here is still in relative abundance.

For the indigenous people of Tay Nguyen[2] the mountains are the abodes of the spirits. Today, however, there are many different claims on and interests in Vietnam's uplands. The mountains and the surrounding land have been rapidly taken over and transformed by government policies and programs and by migrants streaming in from around the country. Despite official government control over all forest land, deforestation is proceeding at an alarming rate. Reasons for this are many and varied and there are no simple models or programs that could easily redress this. Until recently, indigenous people were primarily blamed for the deforestation. For many, the forests still provide land for subsistence swidden agriculture but these forests also serve as a very valuable source of timber and non-timber forest products, both for subsistence and market use. Based on fieldwork in Daklak Province in 1999, this article considers the changes brought about by migration and especially by deforestation in Tay Nguyen. It further describes some of the programs and policies that have been drawn up to counter this. Finally, it gives a glimpse at some of the effects this has all had on the indigenous peoples today by looking at Jarai and Ede villages, in three different communes in three different corners of Daklak Province.

Demographic Changes through Resettlement and Spontaneous Migration

Daklak is the largest and one of the fastest growing provinces, economically as well as in terms of population, in Vietnam. In 1976, Daklak's population was around 360,000. Today it has increased to over 1.6 million people. Although indigenous groups (Ede, Jarai and Mnong) still make up the majority in some, especially more remote

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communes, they are now the minority in the overall population of Daklak Province, which is dominated by the Kinh. A breakdown of Daklak's indigenous population by ethnic group is unavailable but 1995 figures show an estimated total of 287,627 Jarai, 237,964 Ede and 85,207 Mnong living in Vietnam (Nguyen Duy Thieu 1997: Annex 1).

The first major wave of migrants to Tay Nguyen were the approximately 58,000 Catholic and Tay-Nung refugees from the North who came south after the division of the country in 1954. Many of them settled in Daklak and today live on and own some of the most profitable coffee plantations in the country. Large-scale migration to the area, however, started only after Reunification in 1975 and was initially almost exclusively organized through government resettlement programs. Spontaneous migration, of Kinh from the coasts and a large number of ethnic minorities from the northern highlands (mostly Tay, Thai, Nung and in recent years Hmong), gradually picked up speed in the 1990s and was soon out of the control of the authorities.

The Ede (also known as Rhade) are one of the largest and most influential indigenous ethnic minority groups in the Central Highlands. In Daklak, the Ede make up the majority of the indigenous population, followed by the Jarai who live primarily in Gialai Province and Ea Hleo, the northernmost district of Daklak. Centered around Buon Ma Thuot City, the Ede came into a great deal of contact with the French and later the Americans and Vietnamese. Many Ede, especially those near and around Buon Ma Thuot, have received a high level of education and there are a number of trained Ede teachers, professors, government officials, etc. In addition, a number of Vietnam's popular singer-songwriters come from villages around Buon Ma Thuot (e.g. Y Moan Enoul and Y Jack).

The Ede language is of Malayo-Polynesian origin and is very similar to Jarai in the north of the province (Ea Hleo District) and in Jarai Province, but different from the Mon-Khmer of the Mnong in the southern part of the province (especially Lak District). After Vietnamese, Ede is the most spoken and important language of the province.

Despite an overall cultural homogeneity, the Ede are composed of several groups (or sub-groups). These are:

- the Kpa in and around the region of Buon Ma Thuot. They are considered the most pure (*Kpa* in Ede also means right and correct.)
- the Adham
- the Ktul, and
- the Dlie Rue

Having been subjected to many disrupting influences, including war, resettlement, inmigration and intermarriage, these differences between subgroups have blurred. The geographic limits, in particular, are no longer as easily traced as in the past (de Hauteclocque-Howe 1987 (1985): 18). In addition, it was also later found easier to lump all the groups under one heading - Ede - and so, nowadays, the above subgroups are to a great extent forgotten.[3] The Mnong and the Jarai (the other two indigenous groups in Daklak) went through a similar homogenization process.

Deforestation and Government Policies

Two-thirds of Vietnam is comprised of sloping hill and mountain land. Until recently, most of this was covered by some of Asia's richest and most biologically diverse forests. Since 1954, the year Vietnam won its independence from France, over half of Vietnam's natural forests have been destroyed. Warfare, the application of massive amounts of chemical herbicides like Agent Orange by the Americans during the war, clear cutting by commercial timber exploiters and intensified upland cultivation by both indigenous and migrant farmers are all partly responsible. Although 19 million hectares, or 28%, of the total land area of Vietnam are still classified as forestland, less than half of this area retains any substantial tree cover. A major portion is barren or degraded and stripped of its valuable species. Not only has the biodiversity and economic value of these forests thus been reduced but its important ecosystem functions – soil and water conservation – have also greatly diminished.

The pressures on Vietnam's land and remaining forests are immense. Seventy-five percent of the national population is dependent on agriculture and forestry as its source of livelihood. However, as the population density increases this is continually made more difficult. Presently, the overall population density in Vietnam is around 230 people per km^2, while in Daklak Province it is around 58 people per km^2. In addition, Vietnam's rapidly growing industrial sector is also increasing its demand for forestland and resources. Moreover, economic liberalization has facilitated the export of forest products, satisfying, in part, the ever-increasing regional demand. With such pressures, the government aims to make every square inch of the land as productive as possible and has, therefore, initiated a number of different large-scale national programs with this as one of their goals.

Prior to 1954, although the French colonial government legally claimed most of the upland forests, they had little operational control over these resources other than in a few

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areas selected for commercial enterprises. The indigenous peoples living in these areas managed the forests through their own customary laws and government structures. After independence, the Communist government began nationalizing forests and since then Vietnam's forest policies have been in an ongoing process of transition. On the one hand, while the State-owned enterprises and the military today struggle to retain their privileges over forest resources, ways have to be found to accommodate migrants and, at the same time, respect the rights of the indigenous ethnic groups. On the other hand, differing views on how the forests should be protected and sustainably used and who should do the protecting also influence these policies. It is much debated as to how much and which land should be cleared for the building of infrastructure (such as the upgrading of Highway 14) and for agriculture. An especially pressing question is that of which types of crops should be planted. Although wet rice is the traditional Kinh crop and coffee has been economically very profitable, these two crops are not always necessarily ideal for the area. Both are labor and water intensive, and coffee in particular requires substantial chemical pesticide and fertilizer inputs.

From 1968 on, the government's priority for the socio-economic development of the highlands lay in sedentarization and resettlement programs and policies for the ethnic minorities indigenous to these areas. The goal of the Fixed Cultivation and Sedentarization Program (Dinh Canh Dinh Cu) was to sedentarize three million people by the year 2000 and thus end "forest destruction due to shifting cultivation in highland areas" (Le Duy Hang in Rambo et al. 1995: 66). But the solution to deforestation was not to be found with this program. In fact, initially, the program was more a mechanism to bring about cultural change and a way of life more in line with that of the Kinh. Elements of the Highlanders' lifestyle (such as residential mobility, multi-family longhouses, religious beliefs and rituals and social organization) were perceived as "crude" and "backward" and used to justify these programs and policies. Although no longer considered central, the program continues to receive considerable attention today.

However, as the Vietnamese government increasingly recognized the importance and fragility of the upland environment and the danger of deforestation to the hydrological functions of the watersheds and, consequently, to the economic and agricultural development of the coastal plains and lowland deltas, the need to find viable solutions became more urgent. Deforestation was not under control. In fact, it was becoming more complicated and more difficult to find the causes and pinpoint the culprits involved[4]. Allocation of farmland had already been in progress for a number of years, beginning with a general shift in government policy in the early 1980s and picking up momentum with the "Doi Moi" (Renovation) program of economic liberalization. In just a few years, by 1989, Vietnam had turned from being a rice importer to a rice exporter and the authorities wondered if allocation of forestland would have the same positive effect. The government, therefore, began to concentrate more of its efforts on developing forestry into an important sector of the economy, empowering the people to take care of the forests and thereby profit from them, thus contributing to the socio-economic development of the highlands.

In the new plans and policies that have emerged, households are increasingly taking the place of State forest enterprises as the basic management units of forests. However, the focus on individual households is in keeping with Kinh mainstream views but contradicts the traditional social organization of many ethnic minorities, which often focuses not on single-family households, but on larger social groups, i.e. extended families, lineages or clans. The negative experiences of the agricultural collectives of the 1960s and 70s left the impression that community groups had little interest or ability to cooperate in something for the collective good, in this case the managing of a forest. Nevertheless, official rhetoric is also slowly changing its tone amongst various officials. Indigenous people are no longer seen as the main problem of deforestation but rather as a possible part of the solution. Two ambitious nationwide public investment programs are central here. However, before introducing them, a few remarks on the most important State-run agencies involved in the forestry sector are first necessary.

State Forest Enterprises

The State Forest Enterprises (SFE) were, until recently, the official managers and caretakers of Vietnam's forests and, accordingly, were entitled to exploit the forests as they pleased. In recent years, however, this monopoly has been removed and with it have gone many benefits and privileges. Today, SFEs are expected to survive in a market economy or to sink, which is in fact what is happening to many of the current 400 (Warfvinge 1998, Sikor 2000).

The SFEs that survive are engaged by the government to carry out certain forestry and rural development-related services, such as forestland allocation through Program 327 and the so-called 5 Million Hectare Program[5]. As the de facto forest owners, the SFEs are entitled to contract the land assigned to them to households or organizations for protection, reforestation or other uses on a profit sharing basis. However, this can only be accomplished if the respective SFE gives up its claim to the land. In practice, however, this does not - or only very slowly - seems to be the case. By the end of 1996, approximately 3/4 of the 6 million ha of forestland had been allocated to State organizations and only 1/6 to households (Sikor 2000). In addition, by the end of 1999, only one SFE in Daklak Province had managed to begin allocating forestland (under the new program), and this only in one commune. Of the other SFEs in the province, only one other is close to implementing forestland allocation (in Lak District) (ibid.).

The efficiency of the various SFEs in protecting forests and implementing programs differs greatly. As opposed to the staff from the Ea Hleo SFE, who, with the help of guns, motorbikes and four-wheel drive vehicles, efficiently confiscate illegally cut wood, weapons and tractors, the staff in a remote forest station in Cu Jut look at the deforestation around them with helplessness. They may visit the forest once a week, on foot, never arrest anyone or even give them a warning, and write only short reports on what they have observed.

The government continues to see a prominent role for the State in all sectors of the economy. SFEs will thus probably continue to play a primary role in the management of forestland in the future. Presently, many are still heavily involved in forest exploitation but, as forestland allocation continues, they will increasingly take over a coordinating and managing role. How they manage to coordinate and collaborate with local households, communities or user groups contracted to carry out the protection and production activities will be central to the socio-economic development of the highlands and of the indigenous communities, in particular.

Program 327

Launched in 1993, Decree 327 aimed at improving the economic productivity of barren lands[6] throughout the country and protecting them from further degradation. The program provided considerable funds for the planting and protection of forestlands, fruit orchards and industrial crops plantations, but also for infrastructural improvements and land allocation activities. In projects implemented under the program, households were to receive land against land-use certificates or for an annual remuneration of VND 30,000-50,000 per hectare,[7] and were contracted to manage lands, i.e. protect them from encroachment and forest fires. Target households were migrant and ethnic minority farmers who would consequently, it was believed, be encouraged to intensify their agriculture, i.e. abandon shifting cultivation, and sedentarize.

US$ 68 million was budgeted in the first year and roughly 3 trillion VND (US$ 230 million) have been invested until now. However, difficulties quickly arose and the program was put on hold. The most obvious and major drawback of the program was the unfeasibly high cost to the government. Many households stopped receiving payments one or two years after they were allocated forestland to protect. Moreover, the economic incentive for protecting the forest was negligible in comparison to the benefits and income a household could receive from using the forest (Bartels 1999). In addition, forestland was not distributed equally. While some of the more privileged and informed households amassed large-scale holdings, others were left out entirely or were forced to provid[illegible]bor.

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5 Million Hectares Reforestation Program

In 1998, Program 327 was subsumed into an even more ambitious forestry program, the so-called 5 million ha program. This program aims to establish an additional 5 million hectares of forest over the period 1998-2010 while at the same time protecting the existing forest. If the objectives of this program are fulfilled, Vietnam would reach the same degree of forest cover by the end of the next decade as it had at independence - thus from the present 28% to 43%. In addition, the program also aims to secure an annual supply of raw materials for paper, fuelwood and timber, satisfying domestic needs and leaving a surplus for exports.

Under this program, households are no longer paid to protect forest but are allocated forestland for sustainable management from which they can profit in the long-term. Depending on the quality of forestland allocated, households are eligible to forest products and can thus derive more income than they could from the payments made through Program 327. Households are meant to receive secure land and tree tenure, which is recognized by other people and can be protected from encroachment, thereby decreasing land conflicts. Land is to be distributed equitably within a village or community and between different groups (men / women, rich / poor, Kinh / ethnic minority, etc).

Although this new program sounds promising, one has to view large-scale national programs like 327 and the new 5 million hectares program with caution. After setting many ambitious targets, insufficient attention is often paid to the realities in the field. Are the villagers even interested in participating in the program and do they understand their rights and privileges fully? The fact that the lands to be used for reforestation are, at the same time, lands that households in the mountainous areas are, and have been, dependent upon for agricultural production comes into conflict with the designed national strategy (Sikor 2000). The priority that is given to such large-scale, policy-driven national programs risks absorbing most of the available capacity to prepare and implement them. Then, as is often the case, instead of being given support to find local-level solutions, local-level government officials are confronted with fulfilling and accommodating these programs. As a consequence, there is a tendency for the approach to be top-down, especially in villages where there is little or no understanding of the program or incentive to participate. NGOs and other development projects help districts and SFEs to develop participatory approaches to land use planning and land allocation in an attempt to counteract this problem.

Cash and Deforestation from Coffee and Pepper

The vast tracts of land and the fertile basaltic soils of southern Tay Nguyen makes the plateau of Daklak Province, in particular, ideal for agricultural production. Coffee, pepper, rubber[8] and the traditional lowland wet rice grow well on land once covered by forest. Migrant Kinh farmers are the most successful, whereas the indigenous Jarai, Ede and Mnong, especially those living in remote areas, lag behind.

The rapid increase of coffee cultivation in the past twenty years has been phenomenal and Vietnam has moved up to the top ranks of robusta coffee exporters[9]. Over 50% of Vietnamese coffee is grown in Daklak Province. The profits from one harvest can provide even a small plantation farmer with enough quick cash to purchase luxury goods (newest motorcycle model, television), or to build a cement house, for which others need years of saving. Coffee, however, is no panacea but rather a very demanding crop, requiring a good deal of intensive labor, fertilizer, pesticide and water inputs. There are a number of successful Ede coffee farmers in and around Buon Ma Thuot City. However, there are even more who have sold their land to migrants or who do not have the resources or know-how that coffee demands. In the villages one encounters many neglected coffee plants. These plants were probably given to the villages by some government program that did not include the necessary guidance or inputs, or the villagers ran out of resources before the plants had reached maturity. In addition, the high value of coffee has also made it susceptible to theft. Thus during the harvest period, the plants needed to be guarded and the berries are often picked before they are fully ripe.

Pepper has grown in popularity in recent years and provides an alternative or supplement to coffee. Although pepper is most often grown in the gardens around each house and not on illegally logged forestland, the forests of Tay Nguyen are suffering from the increase in pepper cultivation. Presently, the most common supporting structure for the pepper plant in Daklak is a tree trunk cut from the forest[10]. Although alternatives to these tree trunks exist, such as brick poles or living trees, tree trunks are still relatively easily come by and cheap (if not free), and thus will continue to be made available and used. As with coffee, many indigenous people do not have the resources or know-how to grow pepper properly.

The Vietnamese government wants indigenous groups to move away from "backward" farming practices and encourages the cultivation of more modern cash crop alternatives. However, both coffee and pepper are connected with deforestation in the province and coffee par-

ticularly puts an additional strain on the water resources. The paddy rice preferred by the Kinh is also not suitable for cultivation in most areas of the province. Finding solutions in this regard has proved rather tricky.

The Present Situation in Indigenous Communities: A Glimpse at Three Communes

Quality of life for indigenous communities varies from village to village. Past experience with the government, the wars, the French and the Americans, level of education or religious beliefs, etc. can either be of advantage or disadvantage today. For example, even with an increasing number of ethnic Kinh returning to Buddhism or Christianity, religion remains a highly sensitive topic in the highlands. Catholics and animists are tolerated to a certain degree but Protestants have to keep their religious practices virtually hidden. Despite restrictions, Protestantism is attracting an increasing number of followers, especially among the Ede.

In what follows, the impact of recent developments and the government forest policy on the indigenous peoples of Tay Nguyen will be illustrated by a short glimpse at the current situation of Jarai villages in a remote commune of Ea Hleo District, and of Ede villages in the also remote communes of Cu Jut and Ea Kar Districts. In the communes in Cu Jut and Ea Kar, the Ede make up around 5% of the population, while in Ea Sol Commune of Ea Hleo District, the indigenous Jarai and Ede make up 36% and 27% respectively.[11]

Cu Jut's proximity to Buon Ma Thuot and its favorable soil conditions have made it a target area for migrants. Serious land disputes (which often do not end in favor of the local Ede) and deforestation[12] have been some of the consequences of this out-of-control inmigration. In 1988, the swampy flatlands in Cu Jut were still covered by thick forests and tigers were regularly seen. Since then, besides some rapidly disappearing and degraded dipterocarp forest, this entire area has been practically denuded of trees and has thus become uninhabitable for wildlife. In addition, the Ede in Cu Jut District have been quite heavily controlled in their movements. In 1960, villagers in the more remote communes were forced to move to strategic hamlets near Highway 14 and were not allowed to return until 1988. The military presence in the area has been, and remains, quite strong. On the one hand, this is due to the district's proximity to the Cambodia border and, on the other, because of FULRO activities and followers in the area.[13] Although FULRO is no longer active or a threat to the State, vestiges of it are still rumoured to remain.

The consensus among Ede villagers in Cu Jut is that they are not interested in participating in the forest allocation programs. Program 327 had already not worked well in the area. In part because deforestation was already so out-of-control, the VND 30-50,000 was not enough of an incentive for villagers. However, in fact one also gets the distinct impression that most would like to have as little to do with the government as possible. Especially among older Ede men and women, one senses an escapist attitude. Some have even physically distanced themselves from their villages by setting up new fields closer to the forest. But even out there, they are often not safe from the forces they are trying to escape from. One man I visited complained that the night before one of his dogs had been stolen and that people kept helping themselves to his crops, even his bananas (not considered very valuable in Vietnam). In the past, fields were located around the village in small groups of three or four. Nowadays, in many areas, such as in Cu Jut, this is no longer the case. A family is no longer surrounded by other Ede from their village but by strangers (Kinh migrants or ethnic minorities from the north). Besides being perceived as a threat, these strangers do things the Ede do not understand. For example, the same Ede man told me that his new Kinh neighbors cut down the trees by the stream that divides their land. Within just a few days, the negative effects of this act on the stream could already be noticed.

The effects of Agent Orange can still be seen in Ea Kar and much of the landscape remains scarred by bomb craters. But fortunately its mountainous topography (up to 1000 meters high) is still mostly covered with forest. During the rainy season, when rivers flood the rickety bridges, remote villages become even more isolated. It is then impossible to reach these villages by car or tractor and

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View from the Kinh cemetery over the plateau near Buon Ma Thuot City

goods have to be transported by boat. In fact, villagers and the communes' People's Committees agree that their biggest problems are the road conditions. Inmigration is not considered out of control and neither is deforestation an obvious problem.

Many of the Ede villagers in Ea Kar have been quite successful at planting paddy rice. Although wet rice is becoming increasingly important and taking most of their time, they continue growing upland rice. However, since they are not permitted (by the SFE) to clear forest for new fields, they have to clear grasslands. In addition, these fields cannot be left fallow for long. But even with the resulting low yields, villagers continue to invest in growing upland rice. This is partly because upland rice is necessary for certain rituals and for producing proper rice wine. In addition, according to the traditional village headman, they also do not want to lose these upland rice varieties.

Ho Chi Minh's portrait is found hanging in many houses in Ea Kar and their pro-government stance is striking in comparison with villagers in Cu Jut or Ea Hleo, who remain more neutral. A number of villagers fought alongside the communists and their villages were declared "heroic villages" after the war. Villagers also claim to be atheist but animist beliefs remain, especially among the older generations, as do a number of traditional rituals and ceremonies.

Program 327 worked well in Ede villages in Ea Kar. However, villagers do not know all the rules and regulations and in particular do not understand the benefits they can receive from the new forest allocation program, without receiving the cash they did under 327. Apparently, the Forest Enterprise did not go to much effort to explain the program, a phenomenon witnessed in other districts as well. It merely distributed a sheet to be filled in, on which the amount and type of forest each household head wanted allocated had to be stated. However, since only 20-30% of the villagers could read, they simply filled in the form the same as the person before them did. So even in areas where there do not seem to be so many problems and village life seems idyllic, there is still a problem of lack of communication between the commune or district and the village. And whatever communication exists is usually very much top-down.

Although the population composition in remote communes of Ea Hleo (like Ea Sol Commune, in this case) is more favourable to the indigenous Ede and especially Jarai, they are not spared from inmigration and deforestation. Deforestation for pepper poles is problematic (as described above) and inmigration is mostly a concern in basaltic soil areas. Villages located in sandy and thus less fertile areas experience little or no land encroachment.

One of the most effective traditional methods for protecting the forest in Ea Sol seems to be the local beliefs or legends concerning certain forest areas (*Kleyang*) where spirits (*yang*) reside or where there are rocks or other landmarks that have mysterious attributes. These legends declare a certain area as taboo to enter and to log or hunt within. If they are believed, the taboos (rules) are followed and as a consequence the forest is protected. Although these rules are no longer so strictly followed, many local Jarai still believe in them, as do many Kinh migrants. Ea Hleo is one of the few places where sacred forests still remain and it seems that the deforestation that does occur in certain sacred forest or mountains areas is carried out by outsiders or newly arrived migrants, not yet aware of or respecting the local beliefs.

As of February 2000, forestland was being allocated to

households in only one commune of Daklak Province - in Ea Hleo District, by the Ea Hleo State Forest Enterprise (Sikor 2000). However, what was observed was a lack of communication between those in charge of allocating the land and the villagers having land allocated. Many villagers did not understand the program or the benefits they could receive and had many misgivings about the program, believing it to be another 327 Program. In Ea Hleo, the demand for inclusion in the program was also much greater than the planned plots of forestland to be allocated. Those villagers who were not included were told that they would be considered in the next phase of the program (ibid.). That remains to be seen.

The Future

"Work and life are harder nowadays," women in one village in Ea Hleo told me. Also, although there are more medicines around, there are also more diseases and many do not feel as strong as they did in the past. The indigenous communities in Tay Nguyen have gone through many dramatic changes in the past and more can be expected in the future. Many are not equipped for, or do not have an interest in, adapting to the new circumstances and are thus marginalized, while others seem to cope and adapt quite well. However, everywhere one looks one also sees resistance to change.

Most indigenous villagers cannot imagine a world without a forest. One village headman told me, "If there is no forest, there will be no more wild animals, no rains and it will get very hot." As it is, villagers have noticed that it has become hotter and the winds have become stronger since forest cover has decreased. It is clear though, that the forest and shifting cultivation remain important for most indigenous people, especially in remote areas. For some it is essential for subsistence, while others have their own reasons for holding on. However, over the years ethnic minorities have lost access to land and forests. In some areas only patches remain for a few spirits.

But not only the indigenous peoples, also many of the migrants streaming into the province from around the country are to a large extent dependent on the forest for their livelihood. And the government has its own interests, on the one hand in both a more productive and commercial use of the forest and, on the other, in the conservation of the upland watershed. However, the allocation of forestland should not be seen primarily as a way to reforest bare land. Regard must also be paid to any additional interests people might have in land and forests. For the protection and regeneration of the remaining forests in Vietnam and for an effective and sustainable management in the future, the agendas of all stakeholders have to be brought together, listened to and accommodated. It is also essential that the government gains the confidence of the people - confidence that efforts invested in the new government policies and programs will be rewarded. These programs and policies must find a balance between protecting the environment and ensuring human welfare. The rights of indigenous peoples, in particular, long unrecognized, must be granted. Forest policies in the past have tended to ignore and discount people's, and especially the ethnic minorities', ability to protect and manage forests. However, in order to save the remaining forests and provide all the peoples in Tay Nguyen with a future to look forward to they must now be given the power and incentive to do so.

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Notes

[1] The Nung, ethnic minorities from the northern highlands who have been migrating to Daklak Province in recent years, commonly use the Han script for religious and customary practices. I was told about this grave from a friend who came across it during his fieldwork in the area.

[2] Tay Nguyen, meaning Western Plateau in Vietnamese, includes the provinces Lam Dong, Daklak, Kontum and Gialai. In English it is more commonly referred to as the Central Highlands.

[3] Also considered to be Ede subgroups are the Bih and Mdhur, which was not so in the past (ibid.: 22).

[4] The diversification of and increase in the population complicated the socio-cultural picture of the Central Highlands. In addition, it was increasingly recognized that the indigenous people were only to a minor degree to blame for the deforestation. It is also not easy to blame or put a stop to the army or commercial loggers, from whom the government profits as well. This is not without its advantages. As mentioned below, if organized properly these programs present an additional source of income for the SFEs.

[5] Barren lands include rocky mountains, steep mountain slopes that have been degraded by human interference, such as by shifting cultivation or logging, and hilly regions with high grass, bush or scrub and pastures.

[6] This fee may vary depending on the so-called management fees different offices manage to skim off. For the SFEs in charge, these programs are a source of additional income, either from direct involvement in implementing the project or by charging a management fee. In 1999, VND 14,000 = US$ 1.-

[7] Rubber is a plantation crop and rarely planted privately. However, with the fall in rubber prices in recent years, rubber plantations are being replaced with coffee.

[8] Vietnam is the world's sixth largest coffee exporter and the second largest in Asia, after Indonesia.

[10] Since these logs have to survive the pepper plant, they need to be long-lasting and durable and are thus valuable and increasingly rare tree varieties.

[11] These communes have a population of between 7,000 and 11,000 people, Cu Jut being the most and Ea Hleo the least populated.

[12] It must be mentioned, however, that the deforestation cannot be blamed solely on the migrants. The military admittedly failed to protect the more than 1000 hectares of forestland they received in 1991.

[13] The resistance movement known by the French acronym translated as the United Front for the Liberation of the Oppressed Races.

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WEST PAPUA: BLOODSHED IN WAMENA

According to official estimates, at least 30 Indonesian settlers and Dani tribespeople perished during three days of unrest after the police hauled down pro-independence flags in the town of Wamena, West Papua, on last October 6. During much of the first year of the presidency of Abdurrahman Wahid, Indonesia's first democratically-elected president, the security forces had turned a blind eye to flag-raisings, so that the bloody crack-down in Wamena caught locals and foreign observers alike by surprise. This violent assault on a crucial symbol of West Papuan nationalism has dealt a severe blow to the process of dialogue between Jakarta and the political leadership of the West Papuan people, which started after the fall of Soeharto and gained new strength with the ascension of Abdurrahman Wahid to the presidency. The violence that followed the provocation by the security forces is now serving as a pretext for reversing the tolerant policies embraced by President Wahid and for vilifying the West Papuan movement, together with whom he has started to search for a political solution to the problems of the restive province. As the population in other West Papuan districts refuses to heed the ban on flying their flag, more bloodshed is looming. IWGIA has lent immediate support to efforts to investigate the fateful events in Wamena.

By Danilo and Zainab Geiger

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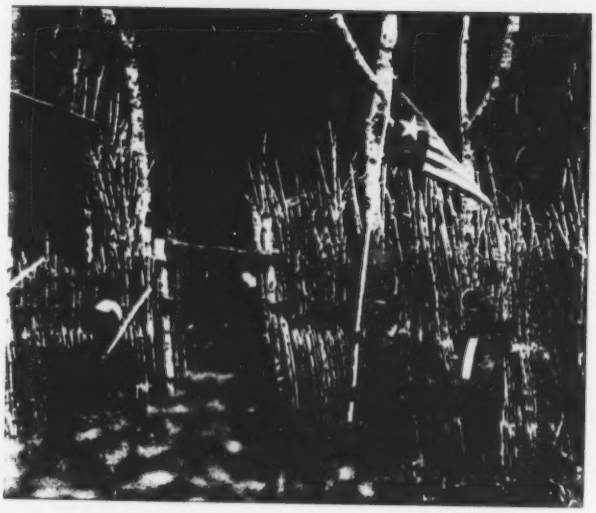

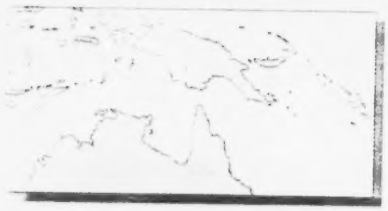

Shortly before 7 o'clock on the morning of Friday October 6, anti-riot police units, armed with assault rifles, moved to dismantle a series of posts in that town, manned by neighbourhood patrols (the so-called 'Satgas Papua') that have sprung up all over West Papua over the past two years. The troops had orders to remove the flags sporting the morning star (*bintang kejora* in Indonesian), the emblem symbolizing the hope of deliverance from Indonesian rule many Papuans espouse. The troops succeeded in hauling the flags down and – according to Papuan sources – cutting them into pieces in five places, but when they tried to do the same in a sixth location in the center of town, they were met by hundreds of angry, and by now armed, Papuans who were determined to defend the flag that was flying near the old town market. In the ensuing row, the police started to shoot into the crowd, fatally wounding two men and injuring several others. On account of their vastly superior weaponry – the Papuans were invariably armed with bows and arrows, spears or bush knives – the troops quickly managed to regain control over the center of town.

By midday, neighbourhood sweeps were underway, with police and military combing the town for suspected supporters of the independence movement. As IWGIA was able to witness first-hand, Papuans encountered on the street were arbitrarily manhandled, beaten with gun butts or kicked in the side while they were searched for pointed weapons. Some of them were rounded up and taken away on trucks, probably for interrogation, or worse. All afternoon and into the evening, gunfire could be heard from areas outside the town, indicating that the army and the police were trying to curb the movement of angered tribesmen into Wamena by attacking outlying villages along the roads leading to the south and the north of the Baliem Valley. These operations must have produced many more casualties on the Dani side, of which not a single one has so far been reported by the authorities.

More publicity was given to the victims of the wrath of the Papuans. All non-Papuans so far confirmed killed were civilians who became targets of revenge acts by the Dani. While the Papuans faced indiscriminate violence on the part of the security forces, the immigrant population as a whole became identified with the oppressors in uniform and were made to pay dearly for that. In the parts of town that lay outside the sweep of the army and police, between October 6, 7 and 8 at least 24 settlers from Java, Sumatra and South Sulawesi were killed by the Dani, hacked to death or burnt alive along with their houses. Between 4 and 5000 migrants fled the valley by plane on an air bridge hastily established by the Indonesian army, before the authorities closed down the airport in order to stop the exodus.

Pending an impartial investigation into the bloodshed, the official death toll from the "tragedy of Wamena", as it came to be dubbed by the Indonesian media, so far stands at – according to the source – 31 to 41 dead, with – according to estimates – every third victim a Papuan killed by the security forces. The Papuan side cites 58 casualties. Around 45 people, the majority Papuans, were severely injured and dozens of houses razed to the ground. At the beginning of November, all schools in the valley remained closed and medical facilities in Wamena, abandoned by doctors and nurses, reportedly lacked even the most basic supplies. According to press reports, the area is flooded with police and troop reinforcements, who are under orders to arrest local "instigators" of the violence and enforce the ban on flag-flying.

News of the turmoil travelled fast and as the police and military gave the Papuan leadership until October 19 to haul down the remaining flags in other districts, violent clashes elsewhere were only to be narrowly avoided. In Tiom in the northern part of the Baliem Valley, members of the Papuan Presidium Council, a decision-making body established during a major gathering of Papuans at the end of May 2000, managed to avert a hostage crisis after

the locals threatened to kill 65 non-Papuan residents should the police dare to enforce the flag ban. In Jayapura and Sentani, where the Papuans steadfastly defied orders to take down the last remaining morning-star banners, the migrant population, afraid of imminent clashes, sought refuge in military and police installations. In the large southern district of Merauke, the population was defiant to such a degree that the authorities had to temporarily halt the purge of "separatist" national symbols.

*

The political significance of the bloodshed in Wamena cannot be overestimated, since it signifies no less than the end of the dialogue process between the Papuan movement and Jakarta, embarked upon shortly after the overthrow of Suharto in May 1998. Although the two sides were admittedly far from reaching an agreement on the contentious issue of the future status of West Papua within (or outside of) Indonesia, President Wahid broke new ground when, on 1st January 2000, he declared that Jakarta was no longer insisting on use of the hated designation 'Irian Jaya' (‚Glorious Irian', evoking the Sukarno-time campaign to wrest West Papua from the Dutch) for the province, naming it 'West Papua' (a term outlawed during Suharto's reign) instead. Only after the intervention of the security establishment could he be dissuaded from giving the opening address at the historical 2nd Papuan Congress, which took place in mid-year in Jayapura, and he declared his willingness to talk with the separatist organization OPM ('Free Papua Movement'). On the matter of flag-flying, he took a remarkably relaxed stance when he issued an official statement last June allowing West Papuans to hoist their flag, provided it was somewhat smaller in size and hung lower than the Indonesian flag, which had to be hoisted along with it.

The military, however, was never very comfortable with Wahid's conciliatory approach, viewing even such minor concessions as an invitation to the Papuans to secede from the Indonesian state. Around mid-year, troop presence in the province was increased, and the police were ordered to investigate charges of treason and secessionism raised against core organizers of the Papuan Congress. Top government officials within Wahid's shaky coalition publicly came out with statements warning of the danger of disintegration if Papuan "separatists" continued to be "cuddled" by the president. On September 23 last, Vice-President Megawati Sukarnoputri, who is officially in charge of the West Papua problem, issued orders to the national Police Commander to have all separatist flags there removed. A series of ultimatums followed, whose legitimacy was questioned by the Papuan leadership on the grounds that they contradicted the policy declared by the president earlier in the year. The police and military finally took advantage of the fact that the president was for a long time unavailable for comment because of his frequent trips abroad. The police action in Wamena came at a time when members of the Papuan Presidium Council were desperately trying to convince the authorities to extend the deadline for the removal of the flags in order to avoid violence. It is therefore ironic that police officials now blame the Papuan leadership and their "armed supporters" for the blood spilt in Wamena. The truth is that the security establishment has long waited for an opportunity to subvert the rapprochement between moderate forces in the government, rallied around the president, and the broad-based movement for self-determination in West Papua. An attack on the sensitive symbol of the morning-star flag was the surest way of creating the turmoil that would later justify a return to the iron-fisted policies that were the hallmark of the regime during the Suharto era. By assaulting the flags flying in Wamena, the police and military have reverted to the time-honoured principle of eradicating the symbols of discontent in Indonesia's truculent regions without addressing the basic grievances that underlie them.

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Less than a week after the clashes in Wamena, IWGIA committed itself to funding an investigation into the bloodshed, to be conducted by a team of researchers and lawyers with a brief to recover the traces of possible police atrocities during the operations in the Baliem, and to provide legal assistance to Papuan leaders faced with sedition charges. The findings of the mission, it is hoped, will highlight the fact that the police and military were fully prepared to risk the lives of innocent civilians when they struck on October 6. As we go to print, however, it is as yet unclear whether the team has been able to obtain the necessary permits from the authorities.

***Danilo Geiger** is an anthropologist lecturing at Zurich University. He works on Indonesian matters for IWGIA and together with his wife was in the Baliem valley on a networking trip when the Wamena clashes happened. He is currently preparing his Ph. D. on ethnic violence in West Kalimantan, Indonesia.*

***Inab Geiger** has worked for several years with environmentalist and human rights organizations in East Kalimantan, Indonesia. She occasionally works with IWGIA on Indonesian issues and projects.* ❑

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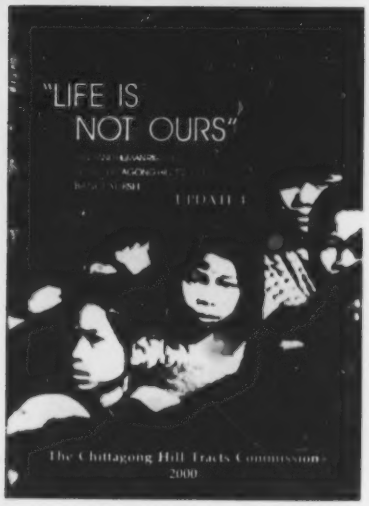

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"LIFE IS NOT OURS"

LAND AND HUMAN RIGHTS IN THE CHITTAGONG HILL TRACTS BANGLADESH, UPDATE 4

The Chittagong Hill Tracts Commission - 2000

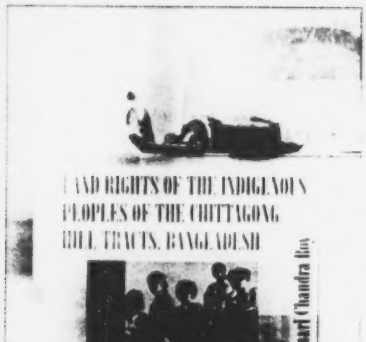
Since the international Chittagong Hill Tracts Commission brought out its third Update to its original report *"Life is not ours" Land and human Rights in the Chittagong Hill Tracts, Bangladesh* in early 1997, a peace agreement has been signed between the Jana Sanghati Samiti (JSS) and the government of Bangladesh. The hope that the Jumma people might live in dignity and peace was renewed.

Today, few of the decisions and measures agreed in the Peace Accord have been implemented. Many refugees who returned from India have not received their old land back or any compensation for the loss of it as promised.

Militarisation of the Chittagong Hill Tracts, human rights violations and communal riots continue. Bengali settlers have reportedly been instigated by the security forces to attack Jumma people several times. The situation of the Chittagong Hill Tracts is far from peaceful. The peace process itself is in serious danger. There are doubts that the Peace Accord will survive following national elections scheduled for 2001.

The main focus of the fourth Update of the original report is the Peace Accord, events following its signing, and the present situation in the Chittagong Hill Tracts. It ends with conclusions and recommendations to the international community, the Jumma people, and national NGOs in Bangladesh.

The Update is based on information from various Jumma and Bengali organisations, the government of Bangladesh, reports in the Bangladesh press and personal communications.



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LAND RIGHTS OF THE INDIGENOUS PEOPLES OF THE CHITTAGONG HILL TRACTS, BANGLADESH

By Rajkumari Chandra Roy

The book describes the struggle of the indigenous peoples of the Chittagong Hill Tracts region in South-eastern Bangladesh to regain control over their ancestral land and resource rights.

From sovereign nations to to the limited autonomy of today, the book details the legal basis of the land rights of the indigenous peoples and the different tools employed by successive administrations to exploit their resources and divest them of their ancestral lands and territories.

The book argues that development programmes need to be implemented in a culturally appropriate manner to be truly sustainable, and with the consent and participation of the peoples concerned. Otherwise, they only serve to push an already vulnerable people into greater impoverishment and hardship. The devastation wrought by large-scale dams and forestry policies cloaked as development programmes is succinctly described in this report, as is population transfer (transmigration) and militarization.

The interaction of all these factors in the process of assimilation and integration is the background for this book, analyzed within the perspective of indigenous and national law, and complemented by international legal approaches. The book concludes with an update on the developments since the signing of the Peace Accord between the Government of Bangladesh and the Jana Sanghati Samiti (JSS) on 2 December 1997.

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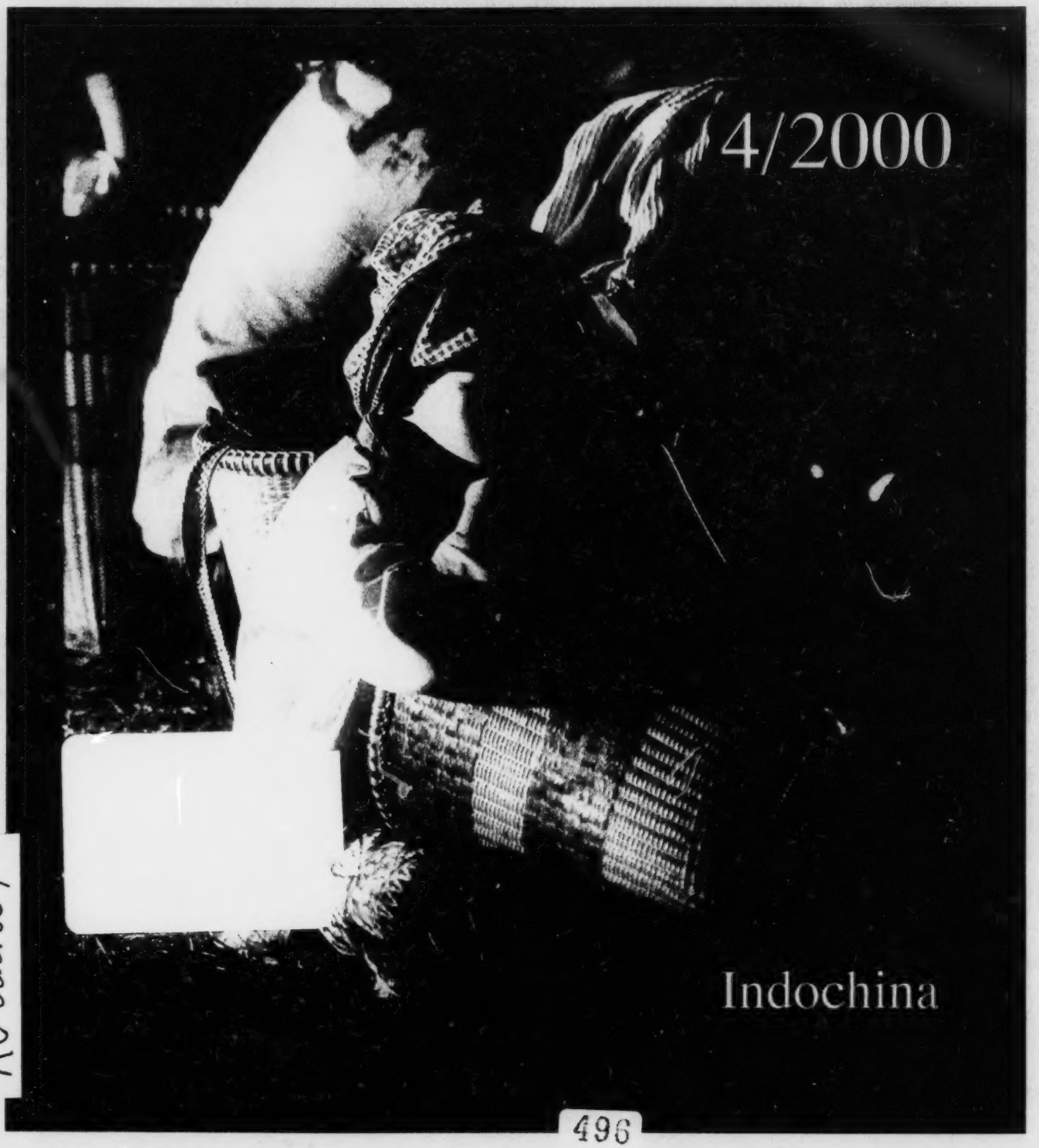

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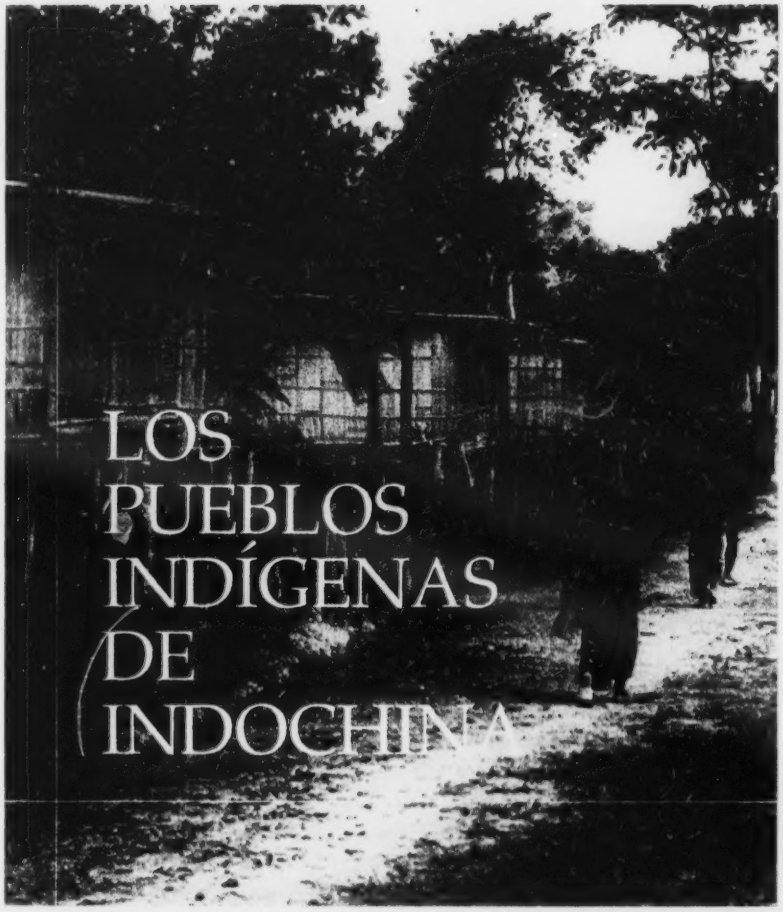
***Cubierta**: Indígenas de las montañas en el mercado, Ban Lung, Ratanakiri, Camboya. Foto: Christian Erni*



LOS PUEBLOS INDÍGENAS DE INDOCHINA

Indochina es el nombre que se le da a veces a la gran península que está ubicada entre lo que hoy es la India y la China. Sin embargo, no sólo se refiere a la ubicación geográfica de la región sino también a la fuerte influencia que estas dos cunas de antiguas civilizaciones han ejercido sobre su historia política y cultural. No obstante, el nombre Indochina es aplicado más comúnmente al área que hoy cubren los tres países localizados en la parte oriental de la península: Laos, Camboya y Vietnam. El uso de este término es un remanente de casi un siglo de colonización francesa, durante la cual los reinados previamente independientes, los estados principescos y las comunidades tribales de esa parte del mundo fueron gradualmente forzados a integrar lo que fue eufemísticamente llamada la "Unión Francesa Indochina" (después de la Segunda Guerra Mundial se convirtió en la "Federación Indochina").

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Por Christian Erni

Fuente: Poffenberger 2000

El legado de la guerra

Para la mayoría de las personas, Indochina todavía evoca fundamentalmente imágenes de guerra y disturbios. Y, por cierto, para los tres países, el siglo XX fue un siglo de sufrimientos inimaginables como consecuencia de sus luchas por la liberación de la dominación extranjera y de las tiranías domésticas.

Con la mejora organizativa de la resistencia anticolonial por parte de los comunistas durante la primera mitad del siglo, la invasión japonesa durante la Segunda Guerra Mundial, la Primera Guerra de Indochina del Viet Minh contra los franceses en el norte de Vietnam desde 1946 a 1954 y la segunda desde 1959 hasta 1975 contra los EE.UU. y sus gobiernos marionetas (en la cual se vieron involucrados los tres países), sólo la última generación de vietnamitas y laosianos nacidos en el siglo XX se ha visto libre de los horrores de tener que crecer en tiempos de guerra. Sin embargo, en Camboya, el sufrimiento todavía no había terminado. Lo que siguió fueron tres años de horror bajo el régimen del Khmer Rouge durante los cuales fueron muertas más de dos millones de personas. La intervención vietnamita puso fin a la pesadilla pero la guerra civil continuó durante su presencia, inflamándose después de su retirada en 1989 y menguando lentamente recién a fines de los años 90.

El legado de la guerra todavía ejerce una gran presión sobre el pueblo de Indochina. Ha dejado muchas personas discapacitadas y mentalmente traumatizadas, bosques desnudos de vegetación y niños lisiados debido a los remanentes tóxicos del suelo y de la cadena alimenticia como consecuencia del uso masivo de defoliantes y herbicidas. La valiosa tierra agrícola exhibe las cicatrices de cráteres de bombas y grandes áreas infestadas con el llamado "material de guerra no detonado" (UXO). Se estima que para fines de la 2ª Guerra de Indochina, los EE.UU habían arrojado 1,9 millones de toneladas de bombas, en ese momento media tonelada por cada persona o 10 toneladas por kilómetro cuadrado, solamente en Laos. Incluso después de años de operaciones de limpieza financiadas por la ONU, más del 30% de todas las aldeas de Laos todavía están contaminadas por UXO. Se estima que esto causa 130 muertes por año (en Camboya unas 800), muchas de ellas de niños.

Gran parte de los bombardeos y combates ocurrieron en áreas montañosas, especialmente a lo largo de la llamada senda de Ho Chi Minh, la principal ruta de avance del ejército de Vietnam del Norte durante la 2ª Guerra de Indochina. Esta corre a lo largo de la cadena montañosa Annamite, en parte a través de Laos y Camboya, hasta Vietnam del Sur. Estas áreas, que fueron desproporcionadamente afectadas por la guerra, constituyen principalmente el territorio de pueblos indígenas.

Los pueblos indígenas no han sido sólo víctimas pasivas de la guerra. Ellos han participado activamente en todos los lados. Las consecuencias se sienten todavía hoy para aquellos que apoyaron a los derrotados. Son generalmente tratados con suspicacia por sus gobiernos. Unos miles de *hmong* que se alinearon con los americanos todavía mantienen su resistencia contra el gobierno socialista de Laos, apoyados por organizaciones de refugiados hmong que viven en los EE.UU. (ver el artículo de Gary Yia Lee en esta publicación).

Un legado menos conocido de la Segunda Guerra de Indochina es la todavía extendida producción de opio que continúa en el norte de Laos, áreas adyacentes de Birmania y, aunque en menor medida, en Vietnam y en Tailandia. Aunque el opio ha sido producido en el área

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durante mucho tiempo, recibió un fuerte impulso durante los años 60 y 70 cuando las tropas de los EE.UU. se involucraron en el conflicto. La CIA usaba las ganancias del opio y de la heroína, transportada a bordo de aviones de los EE.UU., para financiar sus operaciones encubiertas en Indochina. Esto condujo a un aumento del suministro de heroína en todo el mundo y, consecuentemente, de la producción de opio en las áreas remotas en lo que se vino a conocer como el "Triángulo Dorado". Esto ha cambiado drásticamente la economía local y los medios de subsistencia de los aldeanos involucrados, quienes pertenecen casi exclusivamente a pueblos indígenas (ver el artículo de Michael Epprecht).

Los pueblos indígenas de Indochina

Recién después de las reformas y de la lenta apertura de los países socialistas de Vietnam y Laos a fines de los años 80, junto con el fin de la guerra civil de Camboya a mediados de los 90, se pudo obtener otra vez información más detallada sobre los pueblos indígenas de estos países. Esta edición de *Asuntos Indígenas* presenta algunas de las conclusiones de la investigación realizada en años recientes.

Pero, ¿a quiénes nos referimos cuando hablamos de los pueblos indígenas de Indochina? No es mi intención presentar y discutir las diversas definiciones de pueblos indígenas utilizadas internacionalmente o analizar su relevancia y aplicabilidad en Indochina o en el contexto asiático en general. Esto ha sido analizado extensamente en otras oportunidades (Kingsbury 1995, 1998).

En Indochina, los pueblos indígenas son más frecuentemente llamados en la literatura "minorías étnicas" o "pueblos de la montaña". En las contribuciones a esta edición, los tres términos son usados en forma intercambiable. En Vietnam, el término oficial es "minorías étnicas", en Laos "grupos étnicos", "pueblos étnicos" o "no-étnicos lao" y en Camboya "khmer de las montañas" o "pueblos de la montaña".

La diversidad de los pueblos indígenas en Indochina es asombrosa. Camboya tiene la más pequeña población de pueblos indígenas. No existen cifras confiables, pero las estimaciones ubican su cantidad en algo más de 100.000 individuos. Pertenecen a más de 30 grupos étnicos y constituyen alrededor del 1% de la población total de Camboya de 10 millones de habitantes. En Laos, alrededor del 70% de la población total de 4,8 millones de habitantes, es decir, aproximadamente 3,4 millones de personas, pertenecen a las "minorías étnicas", divididas en más de 230 grupos etnolingüísticos diferentes (OIT 2000: 7). En Vietnam, han sido reconocidos oficialmente 53 "grupos étnicos minoritarios". Sin embargo, la cifra real puede ser considerablemente más elevada ya que la clasificación parece ser bastante burda. Estimaciones recientes ubican su población total en 10 millones de individuos, constituyendo aproximadamente el 13,5% del total nacional de 74,5 millones de habitantes (Zankel 1996: 3).

Aunque los pueblos indígenas de Indochina son superados vastamente en cantidad por las poblaciones dominantes de la región, los khmer (en Camboya), los kinh (o vietnamitas étnicos, en Vietnam) y los lao (en Laos y la vecina Tailandia), ocupan una parte mucho mayor de la tierra. Mientras que los últimos han vivido tradicionalmente en las llanuras aluviales y costeras densamente pobladas, los pueblos indígenas se han asentado en las extensas colinas, montañas y mesetas que cubren la mayor parte de Indochina (ver mapa).

La situación actual

Las Constituciones de Laos y Vietnam prevén derechos igualitarios con respecto a las tradiciones culturales de las minorías étnicas. En Laos, la Constitución prohibe explícitamente la discriminación entre grupos étnicos y otorga un mandato expreso al Estado para promover la unidad y la igualdad entre los mismos y "realizar cualquier medida necesaria para continuar mejorando y elevando el estatus económico y social de todos los grupos étnicos" (OIT 2000: 39).

En Vietnam, un sistema de cuotas asegura un acceso mínimo de estudiantes de las minorías étnicas a la educación superior y hay representaciones políticas protegidas a nivel local y nacional (en realidad, están numéricamente sobre representados en la Asamblea Nacional). Sin embargo, una educación y un sistema de reclutamiento selectivos aseguran el control partidario dominado por los kinh. Y, aunque las oficinas de los gobiernos locales de las comunas y distritos con mayoría de pueblos indígenas también son detentadas por miembros de sus comunidades, las posiciones más poderosas a nivel provincial (o a veces de distrito) son generalmente detentadas por kinh.

En Laos, la actual política étnica fue formulada en la "Resolución de la Organización Central del Partido Relativa a los Asuntos de las Minorías Étnicas en la Nueva Era" de 1992. En un estudio político sobre temas relativos a las minorías étnicas comisionado por la OIT, los autores concluyen, «La Política sobre las Minorías Étnicas, tal como está formulada ahora, es en realidad adecuada y está de acuerdo con el espíritu del Convenio No. 169 de la OIT" [Convenio Relativo a los Pueblos Indígenas y Tribales en Países Independientes; c.e.] (OIT 2000: 47).

Sin embargo, los autores también identificaron áreas controversiales, referentes –en particular- a programas y proyectos "que implican adjudicación de tierras y estabilización de la agricultura rotativa, reasentamiento y consolidación de aldeas" (ibid.: 40). No obstante, ellos consi-

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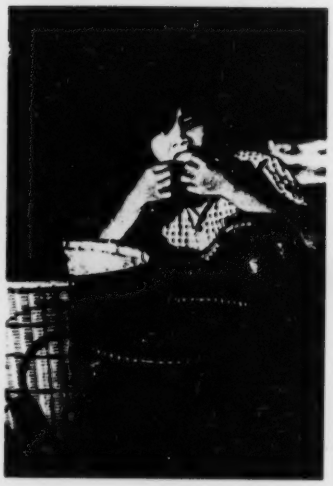
deran que esto no proviene de la política en sí misma sino de la "planificación e implementación realizada de una manera que es, o contraria a la política, o una interpretación errónea de la misma" (ibid.). Y ellos encuentran las siguientes carencias en la política de Laos: consulta en profundidad con los grupos minoritarios, respeto por el uso tradicional de tierras, estudio de culturas y sistemas de creencias e inclusión de líderes de las minorías en el proceso de planificación (ibid). También se refieren a defectos relativos a la política sobre lenguas (ibid.: 47).



Aunque la previsión constitucional y la política general en Laos y Vietnam puedan brindar un marco favorable para la protección de los derechos de los pueblos indígenas, la legislación especifica es débil o ambigua y existe una serie de otras políticas y programas gubernamentales que operan contra sus derechos e intereses.

Los prejuicios y la ignorancia sobre la cultura y las condiciones de vida de los pueblos indígenas, arraigados finalmente en el extenso etnocentrismo existente entre los grupos étnicos dominantes, son una causa de programas gubernamentales erróneos o de intereses conflictivos. Los programas para proteger los bosques y reducir la agricultura rotativa mediante el reasentamiento de comunidades indígenas de la montaña en Laos y Vietnam constituyen ejemplos obvios (ver el artículo de Brigitte Junker). En algunos casos, las verdaderas razones subyacentes al reasentamiento de comunidades, como en el caso de los *heuny* en la Meseta de Boloven del sur de Laos (ver el artículo de Nok Khamin), no son claramente evidentes y dejan un espacio considerable para la especulación y la sospecha.

La "Política General para el Desarrollo de los Pueblos de las Tierras Altas" de Camboya, trazada por el Comité Interministerial para los Pueblos de las Tierras Altas, en 1997, todavía no ha dejado de ser un proyecto. Y, actualmente, la misma comisión está apenas funcionando. Las ONGs locales y las organizaciones internacionales lograron la inclusión de una sección especial sobre los derechos a la tierra de los pueblos indígenas en el proyecto de la nueva ley de tierras. Pero la ley todavía tiene que ser aprobada por la Asamblea General. Al mismo tiempo, junto con la nueva ley de silvicultura está siendo redactada una ley de silvicultura comunitaria separada. Pero el resultado de esto es también incierto. La situación confusa con respecto al uso de tierras y bosques y los derechos de tenencia causan mucha inseguridad. Mientras tanto, se han otorgado, y se siguen otorgando, concesiones para extracción maderera y plantaciones sobre enormes áreas de tierras indígenas.

Debido a la guerra civil en Camboya y al aislamiento político y económico de Laos, los pueblos indígenas de estos países se han salvado hasta hace poco de la invasión a gran escala de sus tierras causada por la explotación comercial de los recursos naturales, represas hidroeléctricas o colonos migrantes. Pero con la paz en Camboya y la apertura económica de Laos socialista, la situación ahora está cambiando rápidamente (ver los artículos de Nok Khamin, Sara Colm y Conny van den Berg). En Vietnam, los programas de transmigración masiva, la extracción maderera a gran escala y la conversión de tierras en plantaciones operadas por empresas administradas por el estado sobre las tierras de los pueblos indígenas se han estado realizando durante décadas. Los programas de transmigración del gobierno han sido detenidos pero la migración espontánea, especialmente a las Tierras Altas Centrales, se ha convertido en un flujo incontrolable. Y bajo el programa de adjudicación de tierras y bosques del gobierno es muy difícil que se reconozca a las comunidades sus derechos comunales a la tierra.

La situación de los pueblos indígenas de Indochina está acercándose rápidamente a la de sus hermanos y hermanas del resto de Asia. Enfrentados a una actitud discriminatoria de la población dominante y de los funcionarios gubernamentales, están experimentando intensas presiones para asimilarse, junto con la pérdida de sus tierras y recursos y una creciente pobreza. Los elementos positivos de las legislaciones y políticas existentes son derogados por la primacía otorgada al desarrollo y a la modernización nacional. Las políticas económicas y de desarrollo son determinadas cada vez más por intereses creados, apuntalados por la ideología desarrollista. Informados por un tosco pensamiento evolucionista, los problemas experimentados por las comunidades indígenas como resultado de las políticas de desarrollo nacional son frecuentemente desechados como inevitables, como el precio que tienen que pagar por el progreso. Algo demasiado bien conocido en otras partes de Asia, y del mundo.

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¿BANDIDOS O REBELDES? LA RESISTENCIA HMONG EN EL NUEVO ESTADO DE LAOS

Por Gary Yia Lee

Durante el atardecer del 31 de marzo del año 2000, la relativa calma de Vientiane, la pequeña capital polvorienta de Laos, fue sacudida por la explosión de una bomba en un restaurante coreano colmado de clientes con el curioso nombre de "Khob Chai Deu" (Gracias, Sí) ubicado en la parte central de la ciudad. Según los informes, fue una granada arrojada por dos hombres desde una motocicleta, la cual hirió a dos comensales locales laosianos y a dieciocho turistas extranjeros (en su mayoría británicos y alemanes), dos de ellos seriamente. Cinco días más tarde explotó una segunda bomba cerca de un hotel regenteado por el gobierno, a unas pocas cuadras de la escena de la primera explosión, seguida por una tercera bomba pocos días después. Luego explotó una cuarta bomba en el ajetreado Mercado La Mañana, el 28 de mayo, hiriendo a 15 civiles laosianos.

El gobierno explicó la primera explosión como resultado de una rivalidad comercial personal pero no ofreció mucha información sobre los otros incidentes o sus perpetradores. Sin embargo, a continuación de la explosión del 28 de mayo, declaró finalmente una alerta nacional. El 7 de junio del 2000 explotó una quinta bomba y se informa que fueron encontradas otras bombas en el aeropuerto y en las cercanías de la embajada vietnamita. Estos acontecimientos provocaron finalmente que el Primer Ministro laosiano, Gen. Sisavath Keobunphanh, declarara que creía que los incidentes eran obra de *hmong* que vivían en otros países y que habían retornado del exilio para llevar adelante una campaña *"para disturbar al gobierno y al pueblo"* de Laos (*The Nation*, 9 de junio del 2000).

El *Bangkok Post* (1 de julio del 2000) informó también que el Embajador laosiano en Tailandia, Sr. Hiem

Hmong de Vietnam (izq.) y Tailandia. Fotos: Christian Erni

Phommachanh, atribuyó las bombas a *"residentes hmong en el extranjero"* bajo las órdenes del Gen. Vang Pao, un ex comandante militar del Gobierno Real de Laos (RLG) quien se opuso al movimiento comunista Pathet Lao (PL) desde 1961 a 1974 con el apoyo de la Agencia Americana de Inteligencia (CIA). Vang Pao fue considerado como *"el único líder de la resistencia todavía peligroso para el gobierno de Laos y que solicitaba apoyo"* de países extranjeros. Actualmente vive en los EE.UU. como refugiado. Estas aserciones parecen estar basadas en el supuesto hecho de que los hmong han intensificado sus actividades de resistencia en las provincias de Borikhamsay y Xieng Khouang a partir de octubre de 1999 y se dice que estuvieron implicados en tiroteos e incendios de casas en Muong Khun, el ex pueblo de Xieng Khouang en el nordeste del país en el mismo momento en que ocurrieron estas explosiones de bombas.

No obstante, diplomáticos radicados en Vientiane brindaron una explicación diferente y consideraron a las explosiones de bombas como el resultado de disputas internas entre los líderes del PL por el control del poder y de los negocios. Los incidentes tendrían la intención de desestabilizar al gobierno, que ha estado caracterizado por la falta de reformas políticas y problemas económicos. Se dice que los detentadores del poder están divididos en dos grupos, que el presidente Khamtay Siphandone y otras personas de edad avanzada de línea dura quieren alinear a Laos con el gobierno comunista vietnamita de Hanoi, mientras que un segundo grupo prefiere una mayor apertura económica con respecto al mundo exterior. Oficialmente, el gobierno de Laos no admite esta división dentro de sus filas e insiste que los conflictos internos son imposibles debido a que la seguridad del país está tan rigurosamente organizada que sólo exilados hmong en los Estados Unidos podrían estar detrás de estos incidentes. ¿Cuán precisa es esta afirmación?

Para examinar las razones de las afirmaciones del gobierno laosiano y sus actitudes con respecto a los hmong, es necesario retrotraerse a la historia reciente de Laos, su prolongada lucha por la independencia del control foráneo y el papel jugado por los hmong en este proceso.

La resistencia hmong en la historia laosiana

La historia de la resistencia hmong en Laos se remonta a mucho tiempo atrás, mucho antes de la guerra civil laosiana que finalizó en 1975 y sus subsiguientes consecuencias. Después de su inmigración del sur de la China en la última mitad del siglo XIX, en parte empujados por las rebeliones chinas de Taiping y en parte como resultado de su búsqueda de nuevas tierras de cultivo, los hmong se asentaron en crecientes cantidades en las provincias laosianas de Samneua, Phong Saly, Luang Prabang y Xieng Khouang. Pronto se encontraron pagando dobles impuestos después de que Laos se convirtió en un protectorado francés en 1893: un impuesto tradicional a los jefes locales laosianos y un nuevo impuesto a las autoridades francesas en forma de monedas de plata y suministros de opio. Esta carga impositiva fue la causa de que los líderes hmong del área de Nong Het, cerca de la frontera vietnamita, organizaran una emboscada contra recaudadores de impuestos en 1896 en Ban Khang Phanieng, en Muong Kham, provincia de Xieng Khouang (Yang Dao, 1975: 46).

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Los franceses consideraron la situación lo suficientemente seria como para acordar negociar con los obstinados hmong, resultando en el establecimiento de cargos de *Tasseng* (jefes cantonales) hmong, quienes eran directamente responsables frente a la administración colonial francesa. El primer cargo de Tasseng hmong fue otorgado al jefe de negociaciones, Kiatong Mua Yong Kai (Muas Zooy Kaim) en Nong Het y cerca del pueblo de Xieng Khouang fue creado un segundo Tasseng para Ya Yang Her (Zam Yaj Hawj). Este nuevo arreglo permitiría a los líderes hmong cobrar impuestos a su propio pueblo y tendrían su propia autonomía en la administración local aldeana, pasando por alto a los funcionarios laosianos a nivel de Tasseng y Muong (o distrito) (Savina, 1924: 238). Esto afectaría más tarde en gran medida la participación hmong en los eventos políticos de Laos, porque otorgó a la dirección hmong una tendencia a preferir tratar directamente con aliados occidentales (fueran franceses o americanos) en vez de tratar con los laosianos, fundamentalmente debido a una desconfianza básica con respecto a las autoridades laosianas basadas en estos primeros conflictos administrativos.

Los hmong se revelaron otra vez contra los franceses con el movimiento mesiánico Pachai (Batchai) Vue – el primero de los muchos cultos restauradores que dieron surgimiento al grupo de resistencia de hoy, *"Chao Fa"* o Señor del Cielo. Pachai era un hmong que vivía en el norte de Vietnam. Fue inspirado a liderar la revuelta de 1918 a 1921 por una fuerte creencia mítica en que Dios lo había llamado para liberar a los hmong del tratamiento injusto de los señores de la guerra locales foráneos. El levantamiento fue originalmente dirigido contra los mandarines Thai Dam (Tailandeses Negros) quienes reclutaban hombres hmong en sus asentamientos montañeses para trabajar como siervos para ellos en las tierras bajas y quienes también cobraban a los hmong impuestos sobre el opio. Sin embargo, pronto se extendió, incluyendo a objetivos coloniales franceses cuando los soldados franceses se vieron implicados en la represión del levantamiento. Estos obligaron a Pachai a buscar refugio en Laos donde atrajo a un gran número de seguidores. Se alega que la rebelión, en su auge, cubría un territorio de 40.000 kilómetros cuadrados, extendiéndose desde Dien Bien Phu, en Tonkin, hasta Nam Ou, en Luang Prabang, Laos y al norte hasta Sam Neua. Muchos hmong se levantaron en armas junto con Pachai ya sea debido a sus agravios personales contra los habitantes de las tierras bajas o debido a la ferviente creencia de que eran parte de una guerra santa, relatada en muchos de sus mitos, para reconquistar al país que habían perdido hace mucho tiempo.

En China, los hmong habían realizado muchos levantamientos sangrientos de ese tipo durante siglos contra la dominación china, basados en la creencia de la venida de un rey mítico y un nuevo reinado hmong (Tapp, 1982: 114-127). Como afirma Gunn (1986: 115), la mayor expedición militar organizada en Laos *"hasta esa fecha fue implementada para quebrantar la rebelión de Batchai; se trajeron cuatro compañías de fusileros de otras partes de Indochina para restablecer el orden"*. Pachai fue finalmente encontrado y muerto en su escondite en Muong Heup, Luang Prabang, el 17 de noviembre de 1921 (Le Boulanger, 1969: 360). Luego de su muerte, muchos líderes rebeldes hmong se rindieron y fueron decapitados en Nong Het por los franceses frente a espectadores hmong quienes fueron forzados a reunirse allí. A otros simpatizantes de la revuelta se les exigió pagar indemnización a los franceses a razón de cincuenta piastras *"por cada (soldado) laosiano o vietnamita muerto, no incluyendo la indemnización por pérdida de casas, ganado y cosechas"* (Gunn, op. cit.: 120). En total, fueron recolectados 375 kilogramos de barras de plata de los hmong. Muchos hmong que no pudieron pagar tuvieron que vender o empeñar sus hijos y posesiones.

Desde estas tempranas experiencias disidentes, los hmong pasaron a la plena participación en la lucha contra los franceses y en la consecuente guerra civil laosiana durante el período de la guerra de Vietnam. La rivalidad entre el clan Lo y el Lee en Nong Het, por el cargo del jefe local Tasseng, convirtió a los dos grupos en acérrimos enemigos cuando los franceses otorgaron el cargo a Touby Lyfoung, en 1939, a continuación de la muerte del ocupante del cargo, Lo Bliayo (Chongtoua, 1998: 54). Después de eso, Touby Lyfoung se convirtió en un importante líder hmong que permaneció fiel a los franceses y sus simpatizantes derechistas laosianos hasta el fin de su vida. Durante la ocupación japonesa de Laos en 1945, Faydang, uno de los hijos de Lo Blaiyao y rival de Touby, tomó contacto y se alineó con los líderes del izquierdista Movimiento Lao Issara (Laos Libre) bajo el liderazgo del Príncipe Souphanouvong. El Lao Issara, conocido posteriormente como Pathet Lao (PL o Patria Lao), se convertiría en el principal grupo nacionalista que condujo la lucha por la independencia de la dominación francesa (y más tarde americana) de Laos con el apoyo de Vietnam del Norte.

El Pathet Lao era sumamente dependiente de los hmong de Faydang y otras tribus montañesas para el reclutamiento de sus principales recursos humanos en las junglas del nordeste de Laos. Según Stuart-Fox (1997: 79-80), el movimiento descansaba en las minorías étnicas en lo relativo a sus bases de apoyo iniciales porque tenía *"pocas posibilidades de movilizar a los laosianos de las tierras bajas"*, los cuales estaban firmemente controladas por su oponente, el Gobierno Real de Laos. Por lo tanto, el Pathet Lao intentó adoptar, desde el comienzo, relaciones igualitarias con los grupos étnicos, así como también adoptar una política bien definida relativa a la identidad nacional y la unidad que implicaba a todas las minorías étnicas. Esto sería luego consagrado en la Constitución de la RDP de Laos, que fue promulgada en 1991. Para continuar atrayendo el apoyo, la rebelión de Pachai, junto con revueltas similares de los líderes *khmu* del sur de Laos, ha sido honrada como un símbolo de la lucha por la independencia del colonialismo francés por parte del Partido Revolucionario PL, que controla actualmente a Laos. Este ha denominado a uno de sus batallones del Ejército del Pueblo PL, el cual consiste en su mayoría de hmong, como Krom Pachai. Después de que el PL tomó el control de Laos en 1975, Faydang fue nombrado

El general Vang Pao, tercero desde la izquierda, en una reunion en St. Paul, Minnesota, EE.UU., en 1996. Foto: Gary Yia Lee

Vicepresidente de la Asamblea Nacional y luego nominado como "Héroe de la Revolución".

Desde 1949, cuando los franceses cedieron el control de Laos, hasta 1954 cuando Laos obtuvo la independencia plena, los hmong alineados con Touby Lyfoung lucharon junto con los franceses como milicias aldeanas y soldados coloniales franceses contra las tropas comunistas vietnamitas que ayudaban a su aliado PL en la expansión de este último en todo el país. Después de que los franceses abandonaron Indochina, los americanos intervinieron para enfrentar la expansión del comunismo. Los franceses ayudaron a establecer al Gobierno Real de Laos y su ejército, el cual incluía muchos reclutas hmong, entre ellos un joven oficial llamado Vang Pao, quien luego se convertiría en general y en el Comandante de la Segunda Región Militar en 1962, en el nordeste de Laos, donde vivía la mayoría de los hmong. Cuando la guerra civil de Laos estaba en su apogeo, en 1961, Vang Pao recibió el pleno apoyo de la CIA americana para establecer, el así llamado, "ejército secreto" para combatir el avance de las tropas del Pathet Lao. Este apoyo duraría hasta el Acuerdo de Alto el Fuego de París, en 1973, el cual condujo a la dislocación y a la muerte de miles de hmong de las tierras altas del norte de Laos. Se estimó que los hmong sumaban entonces 300.000 individuos y un tercio de ellos vivía en áreas controladas por el Pathet Lao y los restantes bajo el Gobierno Real de Laos. Durante este periodo, casi el 10% de la población hmong pereció en la guerra como víctimas civiles o soldados conscriptos, sirviendo en ambos lados del conflicto.

¿Resistencia o rebelión?

Después de que Laos cambiara de manos en 1975, los hmong, bajo el mando del Gen. Vang Pao, tuvieron que buscar refugio en los campos de refugiados en Tailandia y luego fueron reasentados en países occidentales como los Estados Unidos, Canadá, Francia, Australia y Argentina. Más de 200.000 de ellos forman ahora parte de esta diáspora, incluyendo unos 30.000 hmong dispersos en diversas localidades en Tailandia como residentes ilegales. Una gran cantidad de ellos, más de 20.000 personas que no pudieron escapar a Tailandia en los años inmediatamente posteriores a 1975, se adaptó a vivir bajo el nuevo régimen, el cual se hizo conocido como la República Democrática Popular de Laos (Lao PDR). Muchos de sus líderes, oficiales policiales y militares bajo el antiguo régimen del Gobierno Real de Laos, fueron conducidos a campos de re-educación donde permanecieron durante muchos años y muchos nunca retornaron. Más de 15.000 seguidores de Vang Pao, siempre desconfiados de las nuevas autoridades, se ocultaron con sus familias en lo profundo de las selvas de Phu Bia, la montaña más elevada de Laos y en otras áreas adyacentes desde donde

continuaron una guerra restringida de resistencia contra el gobierno de la República Democrática Popular de Laos (Lee, 1982: 212-214).

Al principio, el nuevo gobierno intentó convencer a los hmong para que se unieran a la nueva vida política y a la economía socialista del país mediante discusiones cara a cara, lanzamientos de panfletos y emisiones radiales propagandísticas. No obstante, después de muchos esfuerzos frustrados, recurrió a la represión armada como consecuencia de las crecientes emboscadas a los convoyes y tropas del ejército laosiano por parte de los hmong a lo largo de la Ruta 13 y el camino que une a Vangvieng y Vientiane, en 1976. Se dice que los hmong usaron armas y municiones que habían sido dejadas escondidas por Vang Pao en la región de Phu Bia y luego capturaron armas de sus enemigos o se las quitaron a los soldados gubernamentales muertos. Como estas emboscadas continuaron extendiéndose y las tropas gubernamentales probaron ser inefectivas para detenerlas, fueron enviados cuatro regimientos de tropas vietnamitas al área de Phu Bia en 1977, para aplastar la rebelión, obligando a miles de hmong a huir a Tailandia, llegando a ese país solamente en diciembre de 1977, 2.500 de ellos. También se alega que el gobierno laosiano utilizó bombardeos químicos aéreos contra los rebeldes (Yang Dao, 1978), pero esto ha probado ser difícil de confirmar (Evans, 1983).

Se estimó que solamente 3.500 hmong del área de Phou Bia estaban involucrados en la resistencia armada contra el gobierno, en comparación con los 150.000 hmong que vivían en el país en ese momento (*US News and World Report*, 2 de junio de 1980). Se informó que al menos 1.300 de los rebeldes fueron muertos en 1977, aunque Vang Pao alegó desde su exilio en los EE.UU. que murieron 50.000 hmong víctimas del envenenamiento químico del gobierno de Laos entre 1975 y 1978, y que 45.000 más murieron *"de hambre y enfermedades o de disparos cuando trataban de escapar a Tailandia"* (Hamilton-Merrit, 1980: 37). También se dijo que las pérdidas del lado gubernamental fueron severas, incluyendo a dos helicópteros soviéticos y cuatro tripulantes en 1976, además de *"severas pérdidas sufridas por el personal militar laosiano"* (*FEER*, 10 de septiembre de 1976).

Desde 1977, el gobierno de Laos ha realizado varias campañas represivas intermitentes y sus bajas siguen siendo serias – incluyendo la supuesta eliminación casi total de algunas unidades militares en emboscadas por parte de los hmong y un grupo de 200 soldados laosianos en el área de Vangvieng, supuestamente muertos por un bombardeo aéreo equivocado por parte de los propios bombarderos MIG de la fuerza aérea laosiana en 1988. En diciembre de 1997, se dijo que el "Chao Fa" había eliminado a todos los miembros de una compañía de tropas gubernamentales, con la excepción de uno, cerca de Khang Khai, al sur de las Llanuras de Jars. Los civiles hmong también fueron objetivos y muchos murieron debido a ataques contra las aldeas o emboscadas por parte de ambos bandos. Los visitantes de Laos en 1988 informaron que el "Chao Fa" alegaba ocupar las siguientes áreas: (1) Muong Mai, Thasi, Pa Na, Nam Hia, Na Kong, Phu Makthao, Chomthong y Muong Sa, en la Provincia de Borikhamsay; (2) Khang Khai, Tha Papang, Nam Tao Samseng, Phu Bia, Muong Mork, Phu Nanon y Samthong, en la Provincia de Xieng Lhouang; y (3) Phu Kongkhao y Phu Nhay en la Provincia de Luang Prabang. Dijeron que los hmong y otros habitantes de estos lugares vivían en el temor, no sabiendo con cual parte alinearse.

Los combatientes de la resistencia hmong, aunque descoordinados y carentes de apoyo externo, parecen entonces haber continuado sus actividades mortales hasta el día de hoy. El movimiento ha sido mantenido vivo debido a la feroz posición anticomunista de sus seguidores y por otros factores, en particular por el hecho de que los civiles hmong que han manifestado contra las autoridades de la República Democrática Popular de Laos han sido llevados a campos de reasentamiento en las tierras bajas donde muchos de sus líderes han finalmente desaparecido misteriosamente o están prisioneros, dependiendo de las decisiones de los oficiales militares laosianos. También desaparecieron una serie de líderes hmong que se repatriaron voluntariamente de los campos de refugiados de Tailandia, fueron supuestamente asesinados o encarcelados. Entre los retornados que desaparecieron se encuentra el Sr. Vue Mai. Él era un líder del campo de Ban Vinai, el campo de refugiados más grande de Tailandia, que contaba con más de 40.000 residentes antes de ser clausurado en 1992 a continuación de la presión de la ACNUR y el gobierno de la República Democrática Popular de Laos, el cual creía que era la base de apoyo de muchos grupos de resistencia dentro de Laos.

El gobierno laosiano ha continuado su intento de que más hmong involucrados en la resistencia "salgan" de sus escondites selváticos y conduzcan una "vida normal". Aparte de la represión militar, ha intentado diversos proyectos de desarrollo, principalmente en la "Zona Especial Saisomboun", que fue establecida en 1994 al norte de Vientiane, en un área antes conocida como Muong Cha bajo el antiguo Gobierno Real de Laos. Esta es el área más cercana a Phu Bia, la base de la mayoría de los grupos "Chao Fa". Tiene la esperanza de convertir a Saisomboun en un centro de desarrollo político y económico para atraer a la resistencia hmong al redil de las autoridades de la República Democrática Popular de Laos mediante el retiro del personal étnico laosiano de las tierras bajas del área y la ubicación del Gen. Bounchane (un *khmu* que reprimió exitosamente a muchos hmong "Chao Fa" a finales de los años setenta) como el comandante militar local, el Cnel. Lo Lu Yang (un hmong del PL) como comandante adjunto y el Sr. Siatou Yang (otro hmong que fue previamente el Chao Muong o gobernador de distrito en Moung Hom) como coordinador de la unificación. La Zona Especial cubre los distritos de Moung Phoun, Muong Hom, Muong Cha y Long San. Ahora las autoridades están poniendo a hmong a trabajar junto con disidentes hmong para intentar construir un puente entre la profunda división política y cultural que existe entre ellos.

No hay dudas de que el gobierno cree que lo mejor es que los hmong traten entre ellos este tema político de larga

data. Sin embargo, esto no parece haber aplacado la cólera de los llamados "bandidos" hmong. Ellos siguen emboscando convoyes del ejército e incluso taxímetros que se desplazan entre Vientiane y Luang Prabang, o desde y hacia Saisomboun. Estas acciones han escalado desde mayo de 1998, teniendo como resultado el otorgamiento de libertad para las tropas gubernamentales hmong de disparar contra todas las aldeas "Chao Fa", con las resultantes represalias armadas sobre el mismo pueblo de Saisomboun. Mientras que previamente eran soldados laosianos de las tierras bajas quienes disparaban contra los hmong, ahora los hmong se están matando mutuamente. Se dice que muchas familias hmong han huido de Saisomboun al Kilómetro 52, el principal asentamiento hmong sobre el camino que une a Vientiane con Muong Phon Haung y hacia Vangvieng. La mas reciente propaganda de resistencia desde el extranjero de la radio "Hmong Voice (Voz Hmong)" (que emite en Internet en los EE.UU.) alega que el gobierno laosiano, para continuar su campaña contra los hmong, ahora está tratando de *"reclutar forzadamente a cientos (sic) de niños y jóvenes (sic) de 13 a 25 años para el servicio militar, especialmente niños hmong y khmu de las áreas rurales"* (*Hmong Voice*, julio del 2000, en www.geocites/hmongvoice/).

El gobierno de la República Democrática Popular de Laos ha nombrado al Sr. Tong Yer Thao, el Vicepresidente del Frente Unido de Reconstrucción Nacional de Laos (conocido previamente como el Frente Revolucionario Pathet Lao) para negociar con los líderes de la resistencia y como responsable del reasentamiento de los ex rebeldes hmong en el área de Moung Kao, provincia de Borikamsay, donde se les entrega tierras de cultivo de arroz húmedo de las tierras bajas y otras formas de asistencia. A pesar de estos esfuerzos, el gobierno no ha sido capaz de asistir con investigaciones o explicaciones con respecto a la desaparición o muertes misteriosas de líderes hmong que han "salido" de sus escondites. Esto ha hecho que muchos de los rebeldes no abandonen finalmente sus armas, reforzados por una fuerte creencia en que los hmong expatriados en los EE.UU. y otros países occidentales acudirán eventualmente a su rescate, basándose en la propaganda de los grupos de resistencia hmong con base en el extranjero, emisiones de la Radio Free Asia (Radio Asia Libre) y otros medios encubiertos de contacto. En cierto sentido, no se puede decir que los hmong sean rebeldes contra el gobierno de la República Democrática Popular de Laos, ya que estos disidentes nunca se han incorporado al nuevo régimen. Han optado por resistir mediante su aislamiento en sus fortalezas montañesas y rehusando a someterse al control de las nuevas autoridades.

Los rebeldes parecen creer firmemente que el actual gobierno de Laos no es más que una marioneta del politburó vietnamita, el verdadero dueño colonial de Laos, una creencia alimentada por una continua postura política similar entre los grupos de resistencia hmong en EE.UU. Esta posición ideológica, proveniente también de su pasado compromiso con el Gobierno Real de Laos y el ejército secreto financiado por la CIA, ha impedido a los líderes de la resistencia tener ningún tipo de confianza en los pronunciamientos e intenciones abiertas de los nuevos funcionarios de la República Democrática Popular de Laos. El gobierno laosiano, por su parte, ha tratado de ocultar el problema al mundo exterior, desestimando las actividades de resistencia hmong y calificándolas solamente como la obra de "bandidos" armados y "ladrones de caminos". Esto ha facilitado también a que los verdaderos bandidos de Laos maten y saqueen mientras que culpan al "Chao Fa" por sus acciones. Los funcionarios laosianos han acusado a los refugiados hmong en el extranjero de intentar crear inestabilidad en Laos pero nunca han reconocido la existencia de esta rebelión de 25 años de duración de los hmong que viven dentro del país. Se ha impedido a los medios de difusión internacionales y al cuerpo diplomático visitar las áreas donde se realizan las actuales campañas de represión por parte de las tropas laosianas y vietnamitas o que están bajo el control de los verdaderos rebeldes hmong del "Chao Fa".

¿Quiénes están involucrados?

En 1976, los dos grupos rebeldes más importantes de Phu Bia estaban bajo la égida del Sr. Yong Youa Her (Ntxooy Zuag Hawj), un ex sargento del ejército secreto de Vang Pao y el Sr. Xai Shua Yang, un ex Tasseng (jefe cantonal) de Phao Khao, al este de Long Cheng, que era el antiguo cuartel general de Vang Pao. Yong Youa se incorporo a un movimiento restaurador hmong en 1972 el cual, en medio de todos los sufrimientos de los hmong refugiados en la guerra civil de Laos, abogaba por la formación de una "verdadera" sociedad hmong, en anticipación al retorno

del legendario rey hmong quien rescataría a los seguidores del movimiento de la opresión por parte de otros grupos. Bajo la guía militar y el liderazgo mesiánico de Yong Youa, el movimiento de resistencia pronto fue conocido como "Chao Fa" (un término laosiano que significa "Señor del Cielo" o Dios).

Como lo afirma Lee (op. cit.: 213):

> *"la dirección [de Yong Youa] atrajo a un gran número de hmong y en un momento se dijo que disponía de un "ejército" de 400 o 500 hombres, operando en unidades de 20 a 50 efectivos contra las fuerzas del PL. Utilizando su alegato de invulnerabilidad y guía divina, fueron a la guerra llenos de fervor religioso, esgrimiendo viejos rifles y su propia bandera... Usaban sus armas en forma ahorrativa y solamente cuando estaban seguros de su blanco, para preservar las municiones. Cuando se les agotaban los suministros necesarios, tomaban lo que necesitaban de sus víctimas".*

En 1979, los seguidores de Xai Shua Yang tuvieron que dividirse en dos pequeños grupos, ya que no fueron capaces de soportar los bombardeos y el gaseo de sus refugios. Unos meses más tarde, la mayoría de ellos había llegado a Tailandia con sus familias, dejando solos a Yong Youa y sus combatientes libertarios "Chao Fa" en su deambular por las espesuras de Phou Bia en una desesperanzada lucha de resistencia por su prometido reino hmong. El movimiento de Yong Youa fue recogido en Tailandia por un grupo de ex adherentes del "Chao Fa", encabezados por Pa Kao Her. Durante un tiempo, el grupo obtuvo el apoyo de China, que lo suministró con armas y entrenamiento militar de 1979 a 1980, a continuación de la guerra fronteriza entre China y Vietnam, el aliado principal del gobierno de la RDP de Laos. Los seguidores "Chao Fa" de Tailandia establecieron su base en Nan, cerca de la frontera de Laos y lanzaron operaciones armadas y de inteligencia en la provincia de Sayaboury, en Laos, así como en Phu Bia donde estaban estacionados Young Youa y sus seguidores. Sin embargo, hoy el grupo de Tailandia se ha disuelto virtualmente en pequeños elementos, debido a la falta de apoyo del extranjero y a la represión del gobierno tailandés, actuando según acuerdos de seguridad fronteriza que firmó con el gobierno de la RDP de Laos en 1994. Hacia 1998, Young Youa también pareció haber abandonado sus esperanzas en el retorno de Vang Pao a las selvas de Laos y su ayuda a la resistencia, declarando en un mensaje de vídeo que *"estoy continuando la lucha por Usted y todos estamos sufriendo por su sucio legado (de cooperación con la CIA americana)"*.

En 1981, Vang Pao estableció el Frente Unido de Liberación Nacional de Laos (FULNL), con base en Santa Ana, California. El Frente fue apoyado por una serie de prominentes ex figuras políticas y militares como Sisouk Na Champassak (ex Ministro de Defensa del Gobierno Real de Laos), Gen. Phoumi Nosavanh (el liberador de Vientiane durante su ocupación en 1960 por las fuerzas Neutralistas de Laos bajo las órdenes del Capitán Kong Le), el Gen. Thonglit Chokbengboun, el Sr. Outhong Souvannavong (anciano hombre de estado y ex ministro del primer gabinete laosiano luego de la independencia de Francia en 1954) y una serie de otros políticos laosianos de derecha. Ellos formaron un gobierno en el exilio, con Souvannavong como Primer Ministro y Vang Pao como Ministro de Defensa (Chan, 1994: 47). Los miembros del Frente viajaron frecuentemente a diferentes países que albergaban a comunidades de emigrantes laosianos para promover su organización y obtener apoyo. Lograron aumentar en gran forma el número de miembros y las donaciones financieras entre 1982 y 1992. El Frente también estableció su base en Tailandia en los campos de refugiados hmong, especialmente en el antiguo campo de Ban Vinai, en Loei. También obtuvo la cooperación de las unidades fronterizas de inteligencia tailandesas, que estaban utilizando a los combatientes refugiados de la resistencia hmong para recoger información militar para Tailandia dentro de Laos. En ese entonces, Laos y Tailandia no se habían abierto mutuamente y los tailandeses todavía trataban al nuevo régimen de Laos con suspicacia, dependiendo mayormente de los refugiados de Laos para obtener toda información militar fronteriza.

Hacia 1985, el FULNL de Vang Pao había penetrado profundamente dentro de Laos, estableciendo muchos puntos de contactos en las junglas de la antigua área del Segundo Comando Militar del Gobierno Real de Laos, en el nordeste de Laos. También intentó infructuosamente establecer cabezas de puente en Laos central y del sur pero lo encontró difícil pues la mayoría de los operativos de Vang Pao eran realizados por hmong, mientras que los grupos de resistencia laosianos continuaban riñendo entre ellos y conduciendo la mayor parte de su lucha en forma verbal contra las nuevas autoridades laosianas desde el confort de sus sillones de ultramar en Francia, América o Australia. Sin embargo, hacia 1992, el FULNL –como otros grupos de la resistencia basados en los refugiados laosianos en Tailandia- cayó víctima de la aproximación tailando-laosiana. El gobierno de la RDP de Laos, teniendo en mente el uso de los campos de refugiados laosianos como puntos de apoyo de los grupos de resistencia del extranjero, realizó aperturas con respecto al gobierno de Tailandia en un esfuerzo para estrechar lazos entre los dos países y desarraigar estas operaciones disidentes. Vang Pao, quien solía pasar gran parte de su tiempo en Tailandia, ya no fue más bienvenido en ese país y tuvo que contentarse con dirigir desde los EE.UU. Tampoco pudo ya hacer más contactos radiales con sus simpatizantes en Laos tal como solía hacerlo, perdiendo así gradualmente terreno en la resistencia.

Las conexiones extranjeras

El papel de Tailandia

Debido a que Tailandia había sido el refugio de más de 300.000 refugiados desde que el PL tomó el control de Laos en 1975, este país se convirtió en la base de muchos de los grupos resistentes, los cuales operaban dentro de los

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En una aldea hmong cerca de Vang Vieng. La aldea fue establecida por el gobierno de Laos para refugiados hmong que retornaron de Tailandia. Foto: archivo de IWGIA.

campos de refugiados. Los combatientes de la resistencia en Laos se coordinaron mejor y estaban incluso en contacto radial regular con los simpatizantes de Tailandia. No obstante, este apoyo era muy ad hoc y sólo exponía a los grupos resistentes a un mayor peligro de descubrimiento. Cuando los gobiernos de Tailandia y de la RDP de Laos comenzaron las negociaciones sobre seguridad fronteriza en julio de 1994, estas redes de apoyo de la resistencia fueron desmanteladas y sus miembros fueron dispersados o encarcelados. Para ese entonces, Tailandia también había sufrido nuevos cambios de gobiernos y comandantes militares, quienes habían desarrollado nuevas actitudes con respecto a Laos que estaba comenzando a abrir su mercado a la economía libre de Tailandia y otras naciones. La vieja elite reaccionaria anticomunista de la generación de Vang Pao había desaparecido. Muchas de las nuevas personas en comando en Tailandia ni siquiera sabían quién era Vang Pao, aunque él fue antes su aliado más próximo durante la guerra civil laosiana y la lucha contra el comunismo en Laos durante toda la década de los años sesenta y la primera parte de los setenta.

Las nuevas autoridades tailandesas comenzaron a arrestar a refugiados laosianos y hmong sospechosos de estar involucrados en actividades de apoyo a la resistencia dentro de Laos y los refugiados de los EE.UU. eran detenidos y devueltos a su origen en el aeropuerto de Bangkok. Hacia 1992, los tres campos de refugiados hmong (Nam Yao, Chiang Kham y Ban Vinai) había sido virtualmente clausurados y más de sus 20.000 residentes fueron repatriados "voluntariamente" (según la ACNUR) a Laos. Con el cierre de los campos de refugiados en Tailandia, los grupos de resistencia en Laos han quedado librados a su suerte desde 1993. Los restantes refugiados hmong que no habían sido repatriados o no habían sido aceptados para su reasentamiento en los países occidentales, huyeron a Tham Krabok (un gran templo y centro budista para la rehabilitación de la droga en la provincia de Saraburi, al norte de Bangkok). Otros fueron dispersados en varias partes del norte de Tailandia o fueron reubicados en el campo de Ban Napho, en Nakhone Phanom, el último campo agendado para su clausura por la ACNUR en diciembre de 1999.

La Conexión Americana

Como país responsable del apoyo a la Guerra de Indochina, los Estados Unidos recibieron también a la mayor cantidad de refugiados indochinos a continuación de su éxodo de Vietnam, Laos y Camboya en 1975. La cantidad de refugiados de Laos aceptados para el reasentamiento en los EE.UU. se estima en más de 350.000, siendo dos tercios de ellos hmong. Vang Pao estuvo entre los primeros en reasentarse allí. Como ya se expresó, él y Phoumi Nosavanh (un ex general del Ejército Real de Laos exilado en Tailandia) establecieron el Frente Unido de Liberación Nacional de Laos (FULNL) en 1981 en los EE.UU., con afiliados entre los

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refugiados laosianos que vivían en Francia y Australia. El Frente y otros grupos de resistencia también habían hecho trabajo de "lobby" frente al gobierno americano para lograr su apoyo y en favor de sanciones políticas o económicas contra el gobierno de Laos. Esto es así a pesar del hecho de que la Secretaria de Estado de los Estados Unidos, Madeleine Albright, ha declarado claramente que el gobierno de los Estados Unidos *"no apoya al Movimiento de Resistencia de Laos"* (*Business Day*, 31 de julio del 2000).

Independientemente de la posición oficial americana, gran parte del apoyo a los grupos de resistencia y a su moral todavía emana de los EE.UU., debido en gran parte al enorme número de expatriados de Laos en ese país, quienes actúan como una fuente de donaciones financieras y debido a la presencia de Vang Pao, el principal enemigo de Laos. Él fue sentenciado a muerte *in absentia* por el nuevo gobierno de Laos en 1975, pero sigue representando una amenaza para el régimen de Laos. A juzgar por las declaraciones públicas realizadas por funcionarios laosianos, no existe ninguna duda de que Vang Pao todavía infunde temor a las autoridades laosianas, aunque él ha negado vehementemente estar involucrado en ninguna actividad de resistencia en Laos o en las recientes explosiones de bombas en la capital laosiana (Asia.daily.news.yahoo.com, julio 29, 2000). El gobierno de Laos acusa a los hmong de los EE.UU. de continuar enviando armas y dinero a los grupos de resistencia en Laos. Alega que seis hmong americanos fueron apresados en este acto en la provincia de Nong Khai, en Tailandia, apenas al otro lado de la frontera de Vientiane, en enero del 2000 (*Far Eastern Economic Review*, 6 de mayo del 2000). Dos hombres hmong de Estados Unidos que visitaban el norte de Laos también desaparecieron en 1999, aunque el objeto de su visita nunca quedó en claro. En general, muchos hmong residentes en los EE.UU. todavía tienen parientes en Laos y les envían frecuentemente grandes sumas de dinero – una actividad considerada con suspicacia por los funcionarios laosianos. Muchos de ellos también visitan Laos todos los años como turistas o por negocios – haciendo otra vez sospechar a las autoridades laosianas que algunos de ellos utilizan estas visitas como una fachada para realizar actividades políticamente subversivas.

La conexión China

Antes de la huida de Xai Shua Yang a Tailandia en 1979, ya circulaban rumores de la existencia de grupos hmong de resistencia que hostigaban a tropas laosianas cerca de la frontera entre China y Laos. Se dijo que también que Pa Kao Her, el líder hmong "Chao Fa" en Tailandia, había enviado 100 jóvenes hmong para recibir entrenamiento militar en el sur de China. Vang Pao fue sospechado de haber mantenido contacto con líderes chinos en agosto de 1978 (*FEER*, 1 de septiembre de 1979). A continuación de la captura de algunos disidentes que portaban armas chinas, un prominente funcionario laosiano comentó abiertamente que *"los chinos han movilizado algunas personas de las minorías hmong y lu para un movimiento contra nuestro gobierno"* (*FEER*, 8 de diciembre de 1979). Sin embargo, no existe ninguna prueba concluyente sobre la extensión o efectividad del uso de China de pueblos tribales para interferir en los asuntos internos laosianos. El gobierno de Laos también está consciente de esta posible amenaza y ha hecho visitas de amistad ocasionales de alto nivel a China cada vez que aumentan las actividades de resistencia hmong, siendo la última una visita de estado por parte del Primer Ministro Adjunto laosiano a Pequín y la de otra delegación laosiana a la provincia de Yunnan que limita con Laos, en julio del 2000.

El factor Vietnamita

El hecho de que el gobierno de Laos recurra a la intervención militar vietnamita cada vez que los rebeldes hmong intensifican sus actividades no ha ayudado a quebrantar al movimiento resistente, sino solamente a reforzar su alegato, una vez más, de que Laos no es más que una colonia del Vietnam comunista, aunque Vietnam niega todo involucramiento diciendo que Laos es un país capaz de cuidar de su propia seguridad. No obstante, fuentes de la resistencia alegan que dos batallones de tropas vietnamitas han estado en Laos desde octubre de 1999 (Hmong Voice Radio, 22 de julio del 2000). De cualquier manera, una delegación provincial de alto nivel de Xieng Khouang, el lugar donde se llevan a cabo la mayor parte de las actividades de resistencia hmong, visitó a Hanoi el 13 de junio del 2000 – poco después de la serie de atentados con bombas en Vientiane. La visita fue encabezada por el secretario provincial comisionado del Partido Comunista, el Sr. Sivongya Yangyongya (un hmong). El grupo se reunió con la poderosa comisión de relaciones exteriores del Partido Comunista de Vietnam (Agence-France Press, 14 de junio del 2000) con el objetivo de *"fortalecer las relaciones entre las dos partes"*.

Sin embargo, Hmong Voice Radio (22 de julio del 2000) considera la visita como un castigo a la dirección hmong del PL en Xieng Khouang por ser demasiado débil e indulgente al permitir a los disidentes hmong disparar a discreción contra funcionarios gubernamentales, incendiar casas y matar a aldeanos inocentes. La dirección del partido habría sido llamada entonces a Vietnam para recibir una reprimenda. Los combatientes de la resistencia también alegan que estas muertes fueron perpetradas por funcionarios laosianos racistas y corruptos, quienes luego culparon a los hmong. Se ha descubierto que muchos asaltos armados en las carreteras, supuestamente cometidos por el "Chao Fa" hmong, son obra de tropas gubernamentales locales khmu y laosianas o milicias aldeanas. Es difícil saber la verdad frente a esta propaganda contradictoria.

Estas influencias foráneas juegan un papel importante en el mantenimiento de la supervivencia del movimiento de resistencia y en mantener en alto su moral, tanto dentro como fuera de Laos. Mientras que estos factores sigan actuando, es probable que la resistencia hmong continúe porque estas influencias parecen trabajar a favor y en contra de ellas mismas, reforzando las posturas ideológicas y los recursos de las partes involucradas en este prolongado conflicto. Sólo el tiempo dirá cuánto se prologará esta situación en los años venideros.

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El futuro

El gobierno de la RDP de Laos ha intentado resolver calladamente el problema de la resistencia hmong en lo profundo de sus junglas en el norte de Laos. Ha intentado negar la existencia de esa resistencia al catalogar a los disidentes como "bandidos" en vez de reconocer lo que son. Ha hecho una referencia prominente en la Constitución del país a las minorías étnicas como grupos inseparables en la forja de la unidad de la nación laosiana, a quienes se otorga los mismos derechos y obligaciones. Ha establecido la Zona Especial Saisomboun como un sitio ejemplar de desarrollo para los hmong con el objetivo de atraer a los rebeldes hmong. Ahora hay gobernadores provinciales y de distrito hmong, diputados hmong en la Asamblea Nacional e incluso un ministro hmong (para el desarrollo rural) en el actual gobierno de Laos. Muchos hmong están ahora en las jerarquías medias en el servicio público laosiano, más que bajo el antiguo, y derechista, Gobierno Real de Laos. Se informó que un grupo de soldados laosianos que arrestaron y asesinaron a una serie de civiles hmong hace unos pocos meses en Saisomboun fueron ejecutados por su comandante local frente a los sobrevivientes como ejemplo de lo que no es permitido por el gobierno de Laos.

Sin embargo, los grupos de resistencia intransigentes parecen continuar sus actividades, aunque esporádicamente y siguen desconfiando del gobierno. Aparte de las diferencias políticas, parece haber otros factores igualmente importantes implicados en la ecuación, incluyendo la discriminación racial de las minorías étnicas por parte de ciudadanos laosianos particulares, pobreza e inflación elevada, peculado y corrupción oficial, falta de oportunidades económicas y de empleo que conducen a las personas a ser fácilmente susceptibles a la propaganda política alternativa, resentimiento por la falta de promoción y retiro forzado de los simpatizantes hmong del partido comunista, supuestas acusaciones contra funcionarios hmong de tráfico de drogas y otros crímenes, conduciendo a su arresto y encarcelamiento para privar a los hmong de sus líderes, asesinato y desapariciones misteriosas de líderes refugiados hmong repatriados y líderes de la resistencia que manifestaron contra el gobierno de la RDP de Laos.

Estos factores, junto con las influencias políticas o el apoyo material de la diáspora hmong fuera de Laos, seguirán dificultando que el movimiento de resistencia hmong detenga sus actividades. El objetivo último de algunos de los grupos de resistencia es el derrocamiento total del actual gobierno comunista de Laos, mientras que otros se contentan con causar simplemente alteración para forzar a las autoridades laosianas a cambiar su curso político en dirección hacia un régimen más democrático y libre con un sistema político multipartidario en reemplazo del actual estado totalitario de partido único. En su intento de mantenerse en el poder, el gobierno de Laos parece intentar desarraigar la resistencia por la fuerza así como también mediante la persuasión política y proyectos de desarrollo económico. Con tales visiones divergentes sobre la situación, será difícil encontrar soluciones viables y duraderas al problema mientras que los actuales proponentes de estos puntos de vista conflictivos sigan manteniéndose activos en sus posturas.

Independientemente de esta continua espina en el lado del gobierno laosiano y la dirección de la resistencia, es necesario mantener el problema en perspectiva. Hay actualmente 315.465 hmong viviendo en Laos de acuerdo al censo del gobierno de 1995, representando el 6,9 % de la población total del país. De esta cantidad, menos de 5.000 están activamente involucrados en la resistencia y su número disminuye y fluctúa de acuerdo a su fortuna y a la acción del gobierno de Laos en un momento en particular. La cantidad es pequeña, pero las autoridades laosianas necesitarán resolver muchas de las causas de este descontento antes de que se expanda incontrolablemente. El problema es real y no puede ser ignorado o simplemente arrancado por la fuerza, pues existen en juego muchos factores sociales y económicos subyacentes, no sólo ideologías políticas.

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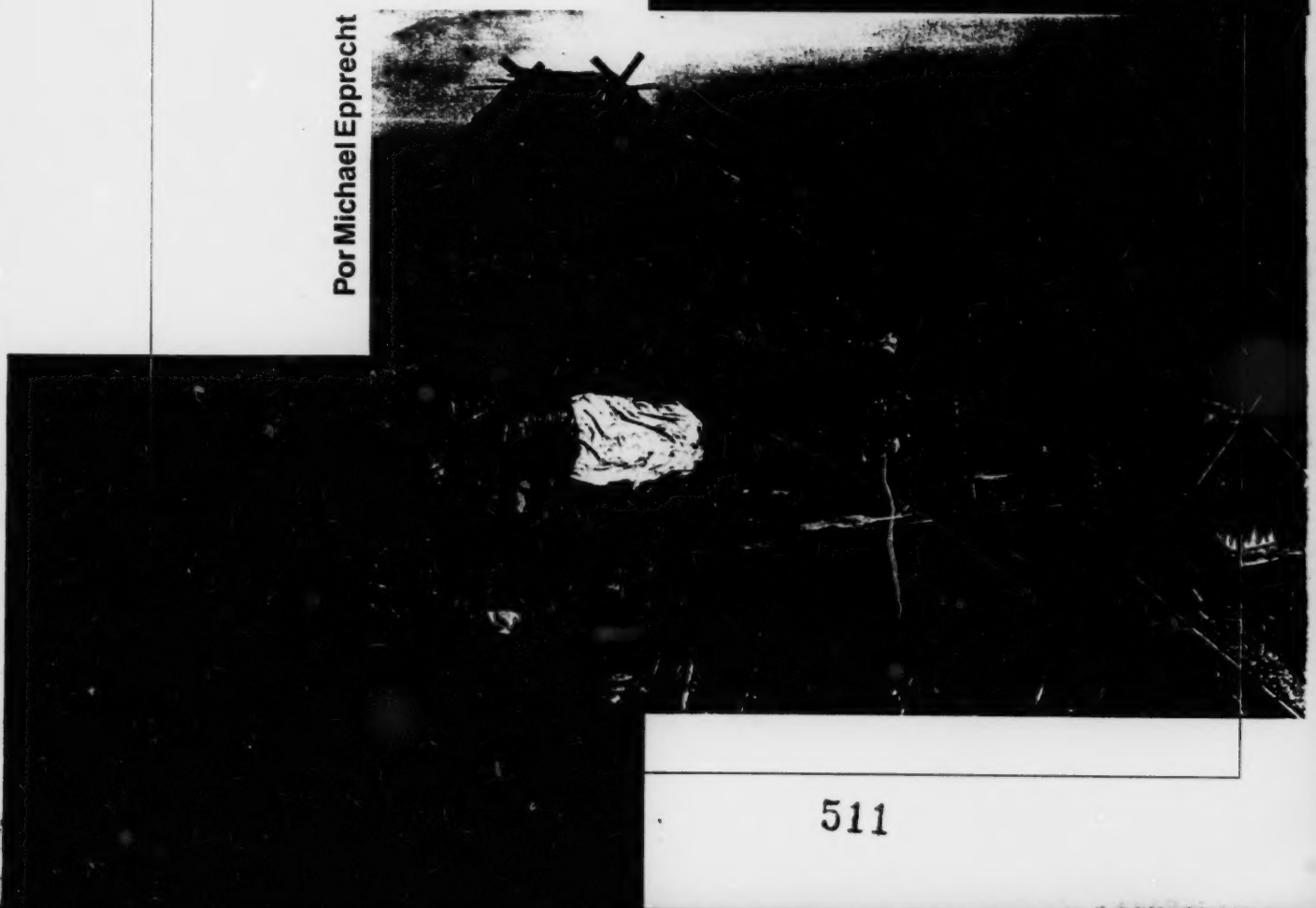
LAS BENDICIONES DE LA AMAPOLA:

EL OPIO Y EL PUEBLO AKHA DEL NORTE DE LAOS

Por Michael Epprecht



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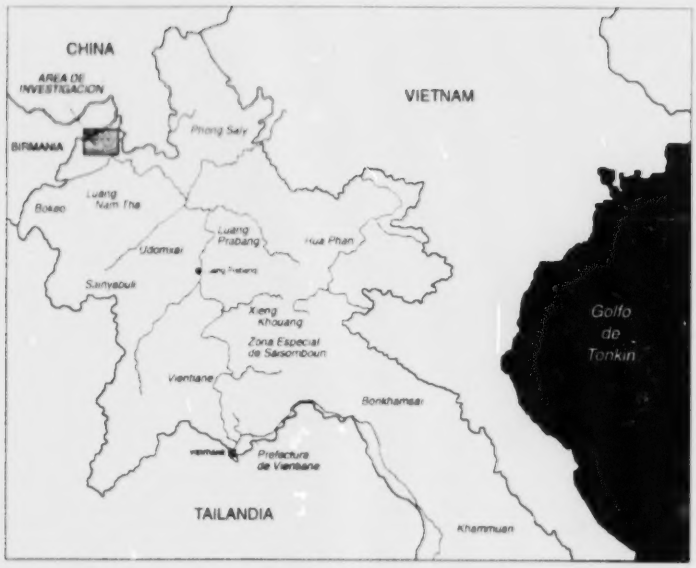

La cantidad de arroz que esperamos cosechar en noviembre probablemente durará unos cinco o siete meses", calcula Cho Chae, el jefe de la aldea de Ho Leh*. *"Si la cosecha del cultivo de amapolas que plantamos ahora es buena, los agricultores de la aldea tendrán menos dificultades para alimentar a sus familias el resto del año"*, explica.

El arroz de tierras altas de los campos de la aldea está tan bien como en cualquier año normal. No obstante, el clima desfavorable, especialmente durante la época de cosecha, puede todavía poner en peligro el resultado de la cosecha.

En el "Triángulo Dorado"

Ho Leh está ubicada a unos 1.200 m sobre el nivel del mar en el lejano noroeste de la República Democrática Popular de Laos, o simplemente Laos. Los habitantes de la aldea pertenecen al grupo étnico llamado *akha*, una de las muchas minorías étnicas que viven en el área montañosa triplemente fronteriza de Tailandia, Birmania y Laos, una región que obtuvo una reputación misteriosa y a veces sombría que se hizo muy conocida internacionalmente como el Triángulo Dorado. Los informes sobre los dudosos señores de la guerra que controlan el comercio de drogas local todavía inspiran las fantasías de muchos aventureros occidentales.

Por cierto, la amapola se cultiva en grandes partes del área, una planta cuyas cápsulas de semillas producen una savia que contiene opio, la base de la producción de la heroína. Lo mismo también sucede en Ho Leh, donde todas las familias tienen sus propios cultivos de amapolas. En enero, cuando los días son frescos y la lluvia es rara, los campos que rodean la aldea están en pleno florecimiento. Las hermosas flores blancas y púrpuras se mecen en el viento fresco a la altura del pecho mientras que los agricultores están ocupados en sacar los indeseados yuyos.

Sin embargo, las aldeas del Triángulo Dorado que se dedican a la producción de opio no son de ninguna manera la mayoría. Las condiciones climáticas de las áreas más bajas no son favorables para las plantas de amapola. Los *lue*, por ejemplo, que viven predominantemente en los fértiles valles, logran cultivar arroz húmedo en campos parcialmente irrigados incluso en la estación seca, la típica estación de cultivo de la amapola y, por lo tanto, no sienten la misma presión que sufren los agricultores de la montaña para dedicarse a la producción del opio.

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Marginados del desarrollo general del país

Mientras que el pueblo akha constituye una mayoría de un 55% en todo el distrito de Muang Sing, los lue están en amplia mayoría en la ciudad de Muang Sing, la capital del distrito. Son también los lue los que detentan el poder político en el área y gracias a su superioridad económica, debida en gran medida a su posibilidad de cultivar arroz húmedo en los campos parcialmente irrigados, también tienen un poder económico muy superior al de los otros grupos étnicos que viven en el distrito.

El pequeño pueblo, que está sólo a unos pocos kilómetros por un buen camino de la frontera china, es un importante centro comercial de la región. No obstante, para los akha que viven en las montañas que rodean a Muang Sing, el pueblo cumple sólo un papel subsidiario en su vida económica.

Para ir de Ho Leh a Muang Sing es necesario hacer una caminata extenuante de un día de duración a través de un área escabrosa. No hay caminos y los caballos son demasiado caros para la mayoría de las familias considerando su valor práctico. Sólo unos pocos productos son llevados cada tanto al mercado de Muang Sing, lo cual se convierte entonces también en un evento social. Encuentran a otros akha de la región, compran algunos artículos de consumo modernos como linternas y baterías, y normalmente pasan al menos una noche en el pueblo.

No obstante, la distancia entre los montañeses y los habitantes de las tierras bajas no está caracterizada sólo por una naturaleza espacial. Mientras que los habitantes de las tierras bajas hablan una lengua vinculada a la tailandesa, los akha hablan una lengua tibeto-birmana, que está más relacionada a la china. En Ho Leh, el jefe de la aldea es el único que habla algo de lao – la lengua de los habitantes de las tierras bajas.

Parece que la distancia entre los habitantes de las tierras bajas, relativamente prósperos, y los a veces extremadamente pobres agricultores montañeses está incluso aumentando: la presión poblacional está también en aumento en las áreas montañesas, pero no es posible un uso agrícola más intensivo de las pronunciadas laderas debido a sus métodos de cultivos rotativos tradicionales, al menos a largo plazo. Sin embargo, como la mayoría de los agricultores deben hacerlo debido a la falta de alternativas, el peligro de una explotación excesiva de los recursos naturales es omnipresente. La decreciente fertilidad del suelo que causa cosechas menores de arroz sólo aumenta la pobreza. El uso no sustentable de los recursos naturales en las montañas también causa problemas en las tierras bajas, agitando las animosidades y prejuicios ya existentes entre los dos pueblos.

Además de eso, los servicios primarios de cuidado de la salud son sumamente escasos en las montañas y recién hace poco comenzó un programa de educación primaria gracias a los esfuerzos de proyectos de desarrollo externos.

Opio para el pueblo

El hecho de que la amapola se cultiva en las montañas del norte de Laos es bien conocido. Que la droga producida no está destinada, como se presume generalmente, a alcanzar el mercado internacional es, sin embargo, menos conocido. Una investigación en profundidad mostró que ni siquiera el diez por ciento del producto anual promedio de opio (alrededor de cuatro a cinco toneladas) producido en el área deja la zona. En estas montañas viven demasiados adictos al opio cuya adicción necesita ser satisfecha: de la población total akha del área en torno a Muang Sing, casi un 12% fuma opio diariamente.

Las personas concernientes mencionan como razón principal del muy alto índice de adicción la falta de un sistema primario de cuidado de la salud y un deficiente acceso general a la medicina. Por cierto, el opio es la única medicina efectiva disponible para ellos para combatir los males mentales y físicos. Por lo tanto, el opio es usado como una droga para todo propósito, la cual es ciertamente muy efectiva para suprimir muchos síntomas. Sin embargo, también es inherente a esta práctica un alto riesgo para el usuario de convertirse en adicto.

En Ho Leh, en diez de cada veinte familias vive al menos una persona adicta al opio. Tres cuartos de estos adictos son hombres. Con estas cifras, Ho Leh es un buen exponente del promedio de todas las aldeas akha del área. Tampoco es una excepción que el jefe de la aldea, Cho Chae, use habitualmente la pipa de opio durante varias horas por día. El trabajo en el campo ya no forma parte de su vida diaria hace ya muchos años. Sus tres hijos, una de sus dos esposas y una hija labran la tierra. *"Ya intenté varias veces dejar de fumar opio pero entonces pierdo mi vitalidad y mi apetito y mi cuerpo comienza a doler"*, explica Cho Chae sobre su continua adicción. Cuando se le preguntó sobre la cantidad de opio que usa por año, el delgado hombre con prominentes pómulos y ojos cansinos replicó: *"Unos dos kilos por año"*. Un simple cálculo revela que incluso en un año con una buena cosecha que produzca hasta 1,5 kilos -la cosecha de una familia promedio- no alcanza para satisfacer la adicción de un miembro de la familia durante todo un año. Por lo tanto, hay que comprar opio adicional de otras familias que no albergan a un adicto, ya sea de una familia de la aldea o de una familia de cualquiera de las aldeas circundantes. Como dispone de un búfalo de agua, dos vacas y tres cerdos, su familia es relativamente próspera. Mediante la venta de una o dos cabezas de ganado, se puede obtener plata suficiente para comprar medio kilo de opio. No obstante, es obvio que tal economía implica riesgos considerables.

Un círculo vicioso de pobreza y adicción

No obstante, sólo una pequeña minoría está en situación de "solventar" el problema familiar de adicción tan confortablemente. En la mayoría de las familias con un adicto, bien el mismo adicto o al menos tan frecuentemente su

esposa o su hija tienen que vender su fuerza de trabajo y trabajar en los campos de otras familias para ganar algo de dinero o trabajar para recibir una paga directa en opio. El trabajo temporario en los campos de otras familias a cambio de salarios es una práctica común en Ho Leh. En más de la mitad de las familias de la aldea, una o dos personas trabajan en los campos de otras familias a cambio de plata, opio o también arroz. Se paga por el trabajo por persona y por día unos diez kilos de arroz o –dependiendo de la estación- dos o tres *saleungs* (entre cinco y ocho gramos de opio). Este último representa aproximadamente el consumo diario de un adicto.

Sin embargo, como la demanda de trabajo adicional se da cuando el trabajo intenso que requiere mano de obra está en su pico, como durante las épocas de plantar o cosechar arroz, estas personas que trabajan en los campos de otras familias están ausentes para realizar los trabajos necesarios en los propios campos de la familia. Consecuentemente, sólo se puede preparar pequeños campos y el resultado correspondiente es cosechas menores. En muchas familias, unos pocos cientos de gramos de opio determinan si una familia tiene arroz suficiente para todo el año o si tiene que enfrentar carencias. No obstante, frecuentemente la mercancía localmente producible más importante para dar en trueque por arroz , el opio, falta debido al alto consumo familiar. Considerando la escasez de arroz comúnmente enfrentada, tales circunstancias pueden tener severas repercusiones y dan inicio frecuentemente a un peligroso círculo vicioso. La creciente escasez de arroz y la desnutrición resultante debilitan las condiciones físicas generales de la gente. Incluso enfermedades relativamente inofensivas pueden conducir a graves problemas de salud de los seres humanos y el ganado, e incluso a la muerte, debido al muy precario sistema primario de cuidado de la salud. La pérdida de miembros familiares jóvenes – y, por lo tanto, de fuerza de trabajo, y la disminución del ganado, no es algo raro en las montañas de la región. Aparentemente, el único medio para combatir estos sufrimientos físicos y mentales es, otra vez, el opio. La adicción y un mayor agravamiento de la situación de suministro de arroz cierran el círculo. Por lo tanto, la adición al opio tiene que ser considerada como un grave problema para toda la familia e incluso para la comunidad aldeana.

Desde esta perspectiva, el Triángulo Dorado no es tan dorado para los agricultores montañeses de la región y las bendiciones de la amapola tienen poco significado para ellos.

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Parte de la economía de subsistencia

Sin embargo, el cultivo de la amapola y la producción de opio es un importante elemento en la economia relativamente aislada de los agricultores indígenas montañeses, la cual está basada fundamentalmente en la agricultura de subsistencia. Si la naturaleza adictiva del opio no fuera un tiro por la culata contra la propia población, la amapola sería un cultivo ideal para esta región montañesa y sus agricultores. Las condiciones climáticas de las frescas montañas son ideales para la amapola y las tareas de intensa labor de la labranza de la tierra, el repetido desyerbar de los campos y la cosecha encajan en forma óptima en el ciclo de cultivo de la agricultura local tradicional de las montañas. A diferencia del arroz de montaña, la amapola se cultiva en la estación seca y, por lo tanto, entra en conflicto con las demandas laborales para el cultivo del arroz sólo en una medida muy limitada. Además, el opio es fácilmente almacenable e incluso aumenta su calidad cuando es almacenado. Como es una mercancía de alto valor en pequeñas cantidades, es fácil de transportar en un terreno difícil que cuenta con posibilidades limitadas de transporte. La amapola tiene muchas otras ventajas comparativas con otros cultivos también desde un punto de vista ecológico: la planta crece mejor en suelos que son desfavorables para el arroz y degrada mucho menos el suelo que, por ejemplo, el arroz. Como ya se mencionó, el opio representa hoy para la mayoría de las familias un producto indispensable para intercambiar por artículos de importancia como el arroz y las medicinas modernas, si son disponibles. Contra el telón de fondo de la disminución de la cosecha de arroz en suelos excesivamente explotados, el opio gana incluso atractivo como cultivo para ser comerciado por arroz.

La ley y la actitud del gobierno

Desde mediados de los años 90, la legislación de Laos prohibe la producción, el comercio y el consumo de opio. No obstante, hasta ahora, el cultivo de la amapola en las áreas montañosas todavía es tolerado por las autoridades. Una política de represión de la droga, como ha sido implementada, por ejemplo, ya hace muchos años en la vecina Tailandia, causaría ciertamente enormes problemas. Sin alternativas, la represión sólo agravaría la ya extendida pobreza en las montañas. Además, tales medidas muy probablemente forzarían a los adictos a cambiar el opio por la mucho más poderosa heroína, como muestra el ejemplo de Tailandia. Bastante sorprendentemente hasta el momento, al menos en las áreas remotas, Laos se ha salvado en gran medida del problema de la adicción a la heroína, a pesar a los crecientes problemas a ese respecto en todos los países vecinos. Sería poco inteligente, sin duda, si esta situación comparativamente "buena" fuera puesta en peligro por una implementación equivocada de la ley.

Actualmente, diversos proyectos de desarrollo tienen al menos un componente centrado en la reducción de la producción y consumo de drogas mediante un desarrollo alternativo y actividades de desintoxicación. Pero la tendencia actual – debida en gran medida a la participación activa del Programa de Control de la Droga de las Naciones Unidas (UNDCP) en el trazado de políticas al respecto de Laos- está sumamente dirigida hacia la implementación de legislación represiva. A los agricultores se les dará solamente unos pocos años para abandonar el cultivo de la amapola antes de que se apliquen medidas punitivas. Para el año 2006, tal es el objetivo del UNDCP, la producción de drogas de base agrícola será eliminada.

Una maldición introducida por Occidente

Generalmente se cree que la producción de opio ha sido practicada por los pueblos del Triángulo Dorado desde hace cientos de años. Sin embargo, el hecho es que la producción de opio y los agricultores indígenas montañeses del área no eran originalmente compañeros naturales de cama: la droga ha sido conocida muy probablemente en esta región recién a partir de la primera mitad del siglo XIX.

Fueron principalmente comerciantes europeos quienes introdujeron el opio como un estimulante en gran escala en la China imperial. Rápidamente, decenas de miles de chinos adictos estaban ansioso por obtener más droga y las compañías mercantiles europeas, en primer lugar y fundamentalmente la Compañía Británica de la India Oriental, se aseguraron un mercado deseoso. Nadie parecía preocuparse de que este comercio era ilegal en China en esa época, ni las razones morales eran un tópico en Europa, donde los beneficios económicos de este comercio sustentaban el desarrollo y contribuían a la creciente riqueza de estas naciones. Las mercancías de la China eran sumamente demandadas en Europa y el opio de la India, donde los británicos mantenían el monopolio sobre el negocio del opio, era un medio mucho más económico de pago que la plata, la única mercancía legal de Occidente de alta demanda en la China.

En un acto de desesperación, las autoridades chinas confiscaron 1.200 toneladas de opio británico y lo arrojaron al mar en el puerto de Cantón. Lo que siguió hizo historia como la Primera Guerra del Opio, después de la cual el derrotado gobierno chino fue forzado a legalizar la importación de opio. Hacia 1886, aproximadamente 15 millones de chinos eran adictos al opio, representando casi un cuarto de la población china de entonces y, por razones económicas, el gobierno imperial se vio forzado a tolerar la producción doméstica de opio.

Como en muchas otras partes de China, los campos de amapolas comenzaron a florecer especialmente en las remotas áreas montañosas de la Provincia de Yunna y Szechwan, en la China meridional. Con la continua migración de las minorías étnicas que vivían en estas montañas hacia Birmania, Laos y Tailandia, el conocimiento y las semillas para la producción de opio también llegaron al sur y fueron introducidas en estos países por primera vez a fines del siglo XIX.

Una vez que la producción de opio obtuvo una base en Laos, primero fue el poder colonial francés el que apoyó y controló el negocio del opio en Laos, antes de que la CIA americana se dedicara al comercio del opio durante la guerra de Vietnam.

¿Y ahora qué?

Estos tiempos son bien recordados por las personas ancianas de las comunidades indígenas de la montaña quienes contem-

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plan retrospectivamente ese capítulo de sus vidas con sentimientos ambiguos. A la vista de este telón de fondo histórico parece incluso más grotesco que hoy sean especialmente las naciones occidentales las que apoyan un enfoque más represivo para eliminar la producción de opio en el Sur y en el Oriente, aparentemente en un esfuerzo para disminuir el flujo de heroína a Europa y América. Sin embargo, como hemos visto, la amapola es hoy un importante producto agrícola en la agroeconomía orientada a la subsistencia de los agricultores indígenas de la montaña. No obstante, se necesita urgentemente una solución para el severo problema de la adicción. Como las medidas represivas sólo aumentarían la pobreza y la marginación en las montañas, surge la interrogante de cómo la ayuda externa podría ayudar a romper el círculo vicioso.

Los problemas de salud, la desilusión y la depresión como resultado de la pobreza y la falta de servicios médicos son las principales causas del extendido consumo habitual del opio en las montañas del Triángulo Dorado. La falta de alternativas es el principal obstáculo para abandonar la producción de opio. Las mejoras en las condiciones de vida generales, un mejor acceso a servicios médicos y educativos y una voz más fuerte de las minorías indígenas en el proceso de toma de decisión política mejorarían también la situación general del pueblo akha del norte de Laos. Esto a su vez aumentaría la disposición de los agricultores para asumir el riesgo económico de abandonar la producción de opio. Varios proyectos de ayuda externa están colaborando activamente a mejorar la situación. El principal objetivo de muchos de estos proyectos es lograr mejoras en el sistema primario de salud, aumentar el acceso a los servicios de educación primaria para las minorías y mejorar los servicios de extensión en el sector agrícola.

Las actividades de intervención en el campo de la agricultura apuntan a introducir tecnologías nuevas, pero adaptadas localmente, para un uso sustentable de los recursos naturales como el suelo, los bosques y el agua, y al mismo tiempo lograr un incremento de la producción de alimentos. Con medidas como la introducción de técnicas de terraza e irrigación se han logrado mejoras en la situación general de seguridad alimenticia. La titulación de tierras, incluso en remotas áreas montañosas, incrementaría la disposición de los agricultores para realizar inversiones en mejoras de la tierra que requieran trabajo intensivo y para tomar medidas conservacionistas.

En el sector del cuidado de la salud surge, por supuesto, la cuestión de si la introducción de la medicina moderna no causa una pérdida de valioso conocimiento de métodos de curación y medicina indígenas tradicionales. Sin embargo, parece que en las comunidades akha del norte de Laos la mayor parte de ese conocimiento médico tradicional ya ha sido perdido, quizá debido en gran parte a la fácil accesibilidad del opio. No obstante, este hecho no debería conducir a la a la tentación de no tomar en consideración el conocimiento tradicional indígena todavía existente.

Los principales obstáculos para un sistema primario de salud mejorado y un mejor acceso a la medicina moderna son, por un lado, lo remoto de estas aldeas y, por otro lado, las dificultades de comunicación de las minorías étnicas con el personal médico que vive en las tierras bajas y no habla la lengua de las minorías. Los voluntarios para atender la salud aldeana introducidos por los proyectos de ayuda externa han mostrado poco éxito y no prometen ser muy sustentables, ya que normalmente no están dispuestos a permanecer durante períodos extensos en áreas remotas, especialmente cuando se considera los bajos salarios que el gobierno les puede pagar. La única opción parece ser un mejor acceso de los pueblos de la montaña a los servicios en los centros de las tierras bajas.

La mejora del acceso a los servicios de educación primaria es uno de los principales problemas a ser resueltos. La prevención de la droga a través de la educación no-formal es tan importante como el dar a las minorías étnicas la oportunidad de aprender la lengua lao. El conocimiento del lao da a las minorías no sólo una mejor posición en las transacciones diarias con los habitantes de las tierras bajas, sino que también los ayuda a participar en el proceso de toma de decisiones políticas.

Las minorías que viven en Laos necesitan indudablemente una voz más fuerte: existen demasiados prejuicios en ambos lados. Ya sea a nivel político o en la visión popular, las minorías étnicas son frecuentemente los chivos expiatorios de muchos problemas. Por ejemplo, los agricultores indígenas montañeses con sus prácticas de cultivos rotativos son hechos responsables por la deforestación a gran escala en las montañas de Laos en vez de hacer responsables a las muchas compañías madereras comerciales que están generalmente activas en una forma ilegal en todo el país.

Para lograr una voz más fuerte de las minorías étnicas en el proceso político de toma de decisiones así como una mejor comprensión mutua entre los diferentes pueblos que viven en Laos se requiere un proceso educativo para superar los prejuicios, tanto en las comunidades de las llanuras como en las de las montañas. Tal proceso llevará tiempo. Lo mismo sucede con respecto a los desarrollos en el sector agrícola. Queda por verse si los proyectos de desarrollo en marcha logran ser lo suficientemente exitosos como para detener la implementación de leyes represivas contra los cultivadores de opio.

Como se argumentó antes, la amapola podría ser un cultivo ideal para estos agricultores y la producción de opio puede ser justificada en forma general. Los opiatos son ampliamente usados en la industria farmacéutica. No sólo países desarrollados como Francia, Holanda, Australia, Rumania o Turquía tienen una considerable producción de opio controlada por el estado para la industria farmacéutica, también países como India logran garantizar de esta manera un ingreso seguro para los agricultores que tienen permiso para cultivar amapolas. Además, el opio es un buen modo de obtener divisas extranjeras para el estado que controla el negocio. En realidad, no existe ninguna razón racional para que un país como Laos no pueda ser capaz de manejar una producción legal de opio, controlada por el estado, para la industria farmacéutica, de manera que las bendiciones de la amapola puedan en realidad ser tales, tanto para los agricultores como para el estado.

* *Los nombres se han cambiado por razones de discreción.*

Michael Epprecht *trabajó durante extensos períodos como experto asociado en el Programa Lao-Germano Integrado Muang Sing de Seguridad Alimenticia de GTZ (IFSP). El autor pasó varios meses en diferentes aldeas akha en las montañas en torno a Muang Sing para investigar sobre la situación del opio en el marco socioeconómico del pueblo akha del norte de Laos.* ❑

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MÁS PROBLEMAS PARA LOS HEUNY

Por Nok Khamin

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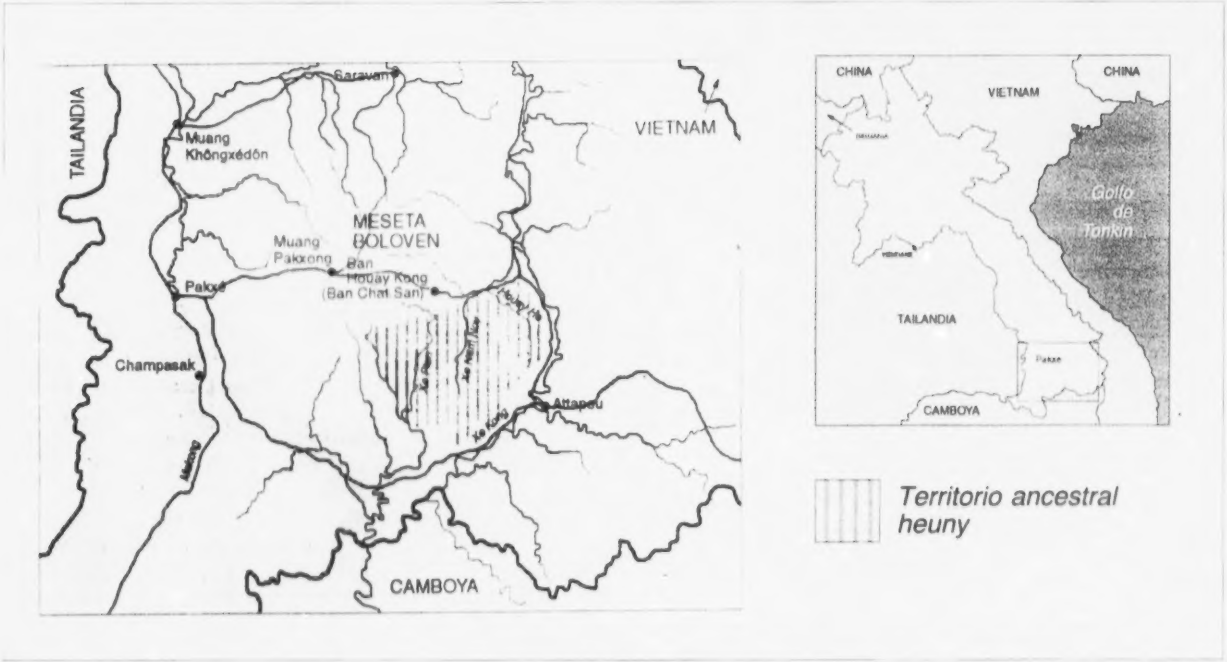

Laos es un país de gran diversidad cultural. En este encerrado país indochino (Chamberlain *et. al.*, 1995), que limita con Vietnam hacia el este, Tailandia hacia el oeste, Camboya hacia el sur y China y Birmania hacia el norte viven por lo menos 240 grupos étnicos diferentes. Los *heuny*, o los *nya heun, nya hon* o *gna hon*, tal como los pueblos indígenas y el gobierno de Laos se refieren a ellos, son una de esas minorías étnicas cultural y lingüísticamente diferenciadas. Su lengua pertenece a la rama occidental del grupo bhanárico de l lenguas mon-khmer austroasiáticas. Habitan áreas montañosas remotas aproximadamente a 800-1.000 metros sobre el nivel del mar en la Meseta de Boloven, en el sur de Laos. Si se los compara con los 5 millones de habitantes de Laos, los heuny son un grupo muy pequeño, en 1995 su población comprendía aproximadamente 5.522 individuos agrupados en 1.200 familias (Chazée, 1999).

Existen muchos otros pueblos indígenas que viven, como los heuny, en partes remotas y densamente boscosas del sur de Laos. La mayoría practica diversas formas de animismo y habla lenguas y dialectos diferentes de la familia lingüística mon-khmer austroasiática. En Laos, estos grupos son conocidos generalmente en forma colectiva como los *lao theun* o *lao kang*, que puede traducirse aproximadamente como los "lao de arriba (de las tierras altas)" (Chazée, 1999; IRN, 1999).

Los heuny son fundamentalmente agricultores de subsistencia y habitantes del bosque que practican una forma de cultivo rotativo mixto de tierras altas (ver Wall, 1975). Se cree que los heuny han habitado el área durante largo tiempo y su historia en la Meseta Boloven se remonta probablemente muchos miles de años atrás. La historia reciente de los heuny, como la de muchas otras minorías indígenas, ha sido tumultuosa debido a los años de guerra. Durante toda la década de los sesenta y comienzos de la de los setenta, la Meseta fue uno de los principales campos de batalla de la Guerra Americana en Indochina (la Guerra de Vietnam). A comienzos de los años sesenta, parte de la meseta albergaba una base aérea de los EE.UU. Más tarde, el área se convirtió en la plaza fuerte del ejército del Pathet Lao, pro-Viet Cong. La cadena montañosa Annamite y la adyacente Meseta Boloven fueron objetivos particularmente importantes entre los muchos lugares que los EE.UU. bombardearon desde el aire durante la guerra.

Hacia 1973, cuando cesaron los bombardeos y las fuerzas de los EE.UU. empezaron a retirarse de Indochina, se estimó que se habían realizado 580.944 bombardeos sobre Laos en nueve años. Se tiraron al menos 2.093.100 toneladas de bombas sobre el país y, solamente en 1965 y 1966, se arrojaron más de 200.000 galones de herbicida en Laos. Hasta el día de hoy, ninguna otra guerra ha sido categorizada por un tan alto nivel de ataques aéreos y Laos tiene la dudosa distinción de haber sido bombardeado per capita más que cualquier otro país en la historia (*in litt.*).

Los heuny son generalmente conocidos por los miembros de otros pueblos indígenas como un pueblo fuerte e independiente (Chazée, 1999). Sobrevivieron en gran medida a la guerra y, a pesar de los disturbios que implicó la misma y el legado de bombas americanas sin explotar que están esparcidas en partes de la Meseta Boloven hasta

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el día de hoy, han logrado mantener su cultura y estilo tradicional de vida.

Los heuny nunca consideraron abandonar su territorio pues sus vidas están invariablemente ligadas a la tierra, los bosques y los ríos de la meseta.

Desde el final de la guerra –hace más de 20 años- y con la asunción al poder del Pathet Lao, los heuny no han experimentado tiempos fáciles. El gobierno revolucionario considera las prácticas animistas como supersticiosas y, en muchos casos, inaceptables y durante años ha conducido campañas, con diferente éxito, con el objetivo de convencer a los heuny y a otras minorías étnicas para que abandonen sus prácticas religiosas, incluyendo los sacrificios de búfalos y otras tradiciones religiosas sagradas que constituyen una importante parte de su cultura (Chazée, 1999). Por ejemplo, cada mes de octubre o noviembre, todos los heuny solían reunirse para la mayor ceremonia del año en la conjunción de los ríos Houay Ho y Xe Ham Noi pero, en 1970, el Pathet Lao prohibió la reunión de tres o cuatro días de duración. Los heuny también han sido discriminados y son considerados como "atrasados" por los pueblos de habla tai-lao (el grupo mayor de esta familia lingüística son los lao), quienes constituyen más del 60% de la población del país (Chazée, 1999).

Planes de reasentamiento del gobierno: una política de conservación forestal errónea

Los heuny, junto con otros grupos indígenas, han sido criticados por el gobierno laosiano por vivir en pequeñas comunidades en áreas remotas, donde las autoridades tienen dificultad para gobernarlos. La solución gubernamental para este supuesto problema ha sido adoptar un programa conocido como "Hom Ban", el cual requiere que diversas comunidades menores sean trasladadas en forma forzada a determinadas aldeas mayores. Los heuny han sufrido el impacto de este programa y ahora hay 20 aldeas heuny mientras que hace unas pocas décadas había 30 (Wall, 1975; Chazée, 1999). Muchos otros pueblos indígenas de Laos han enfrentado también cambios similares (Goudineau, 1997; Chazée, 1999). Por ejemplo, en 1975, poco después de que el Pathet Lao asumiera el poder, 11.000 indígenas *brao* (conocidos como *lave* por los laosianos) fueron trasladados por la fuerza de las tierras altas a las tierras bajas de la provincia Attapeu del sur de Laos (Goudineau, 1997). Esta política ha sido muy impopular entre las comunidades indígenas.

El gobierno ha criticado los sistemas agrícolas tradicionales de los heuny y otros grupos indígenas por contribuir a la deforestación. Esta creencia ha sido reforzada en años recientes por diversas organizaciones internacionales que trabajan en Laos, las cuales han encontrado conveniente culpar a los grupos minoritarios por la deforestación que ocurre en el país. Por ejemplo, un informe de 1990 preparado como parte del Plan de Acción sobre Forestería Tropical (TFAP) estimó que en Laos había 340.000 familias dedicadas al cultivo rotativo de tierras altas. El TFAP recomendó que el gobierno reubicara al 60% de estos montañeses en las tierras bajas para el año 2000 como forma de reducir la deforestación en el país. En realidad, el gobierno ha llevado esta recomendación un paso más adelante y, en 1995, planeó detener todos los cultivos rotativos para el año 2000 (*In litt.*), aunque los observadores en Laos no creen que tal ambicioso programa sea posible de implementar completamente.

La nueva política económica: ¿Desarrollo para quién?

A pesar de años de críticas del gobierno, los heuny bien pueden estar enfrentando ahora la mayor amenaza a su estilo de vida y su futuro bienestar. El a veces llamado "desarrollo" o "progreso" ha comenzado a llegar a la meseta Boloven mediante la nueva política económica de puertas abiertas del gobierno de Laos, la cual ha sido ampliamente aclamada e influida por organizaciones y bancos internacionales como el Fondo Monetario Internacional, el Banco Mundial, el Banco Asiático de Desarrollo, el Secretariado del Mekong y el Programa de Desarrollo de las Naciones Unidas. Los cambios se han sucedido rápidamente y los empresarios locales y extranjeros y las corporaciones multinacionales están ansiosos por explotar los prístinos bosques, los claros ríos de la montaña, y los ricos suelos agrícolas que adornan diversas partes del sur de Laos.

Los habitantes indígenas de la meseta no han tenido ninguna participación directa en las diversas operaciones madereras comerciales del área, las cuales han sido dominadas por compañías madereras con sede en centros urbanos de las tierras bajas como Pakse. Tampoco han participado en los proyectos de plantación de eucalipto, pino y otros monocultivos que están siendo desarrollados en la meseta Boloven, entre los que se encuentra un proyecto de 16.000 hectáreas explotado por tailandeses y neozelandeses que trabajan para Asia Tech Co. También han sido dejados fuera de los proyectos agro-comerciales a gran escala que han arribado en años recientes, incluyendo el Proyecto de Promoción de la Agricultura de Tierras Altas, financiado por el Banco Mundial.

Los *j'rou* (o *laven*, como los llaman los laosianos) son el mayor grupo étnico "lao theung" de la meseta Boloven. Se han adaptado a los cambios provenientes del exterior bastante mejor que los heuny. Mientras que muchos j'rou se han dedicado al cultivo de pequeñas parcelas de café y repollo como cultivos comerciales, los heuny se han resistido mayormente a entrar en la economía monetaria; prefiriendo en general el estilo tradicional de vida y poco contacto, si es que alguno, con el mundo exterior.

La amenaza fundamental: los proyectos de desarrollo hidroeléctrico

A comienzos de los años 80, un aluvión de asesores extranjeros y corporaciones multinacionales comenzó a caer sobre el sur de Laos y, particularmente, a la meseta Boloven, para estudiar el potencial para desarrollar gran-

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des proyectos de represas hidroeléctricas. Los ingenieros extranjeros han considerado hace mucho tiempo al sur de Laos, incluyendo la cuenca del Sekong, como un área con un considerable potencial para el desarrollo hidroeléctrico a gran escala. Sin embargo, los primeros consultores extranjeros que realizaron relevamientos detallados concernientes al potencial hidroeléctrico del área desde la Guerra Americana de Vietnam, fueron los de la agencia japonesa de ayuda bilateral, JICA. Esta agencia ha realizado una serie de estudios hidroeléctricos en el Sekong, incluyendo el estudio recientemente finalizado, el "Plan Maestro Hidroeléctrico de la cuenca del Sekong", el cual encara la construcción de 12 grandes represas en la cuenca del Sekong, en Laos.

No obstante, en 1993 no había ningún proyecto hidroeléctrico en construcción, cuando los gobiernos de Laos y Tailandia firmaron un acuerdo en el que los laosianos acordaron vender a Tailandia, sedienta de energía, 1.500 MW de electricidad por año para el año 2000 (IRN, 1999). A continuación del acuerdo, la multinacional de Corea del Sur, Daewoo Co., comenzó a trabajar con consultores contratados de Electrowatt Co. (con sede en Suiza) y de la Corporación Empresarial de la Comisión Hidroeléctrica (con sede en Tasmania, Australia) para examinar el potencial de construcción de una gran represa en la meseta. Después de completar unos pocos estudios preliminares, Daewoo firmó un acuerdo con el gobierno central de Laos en la remota capital de Vientiane para construir la represa Houay Ho de 150 MW en la parte oriental de la meseta Boloven, en el corazón del territorio tradicional heuny (IRN, 1999).

A fines de 1994, camiones y excavadoras de Daewoo comenzaron súbitamente a entrar en el territorio sin previo aviso a la población local ni tampoco a los gobiernos locales de la Provincia de Champasak o del Distrito de Pak Song, donde se construiría la represa. Los heuny se enfrentaron súbitamente a las hordas de planificadores de proyecto, ingenieros y equipos de construcción de caminos coreanos. Los equipos de construcción de caminos pronto se abrieron paso a través de las tierras heuny para que la construcción de la represa Houay Ho pudiera comenzar (IRN, 1999).

El Proyecto Hidroeléctrico Houay Ho está siendo desarrollado como un proyecto de construcción-operación-transferencia (BOT), el cual prescribe que Daewoo Co. se encarga de toda la financiación del proyecto, construye la represa y la opera durante 25 años antes de transferirla al gobierno laosiano al fin del período de la concesión. Casi toda la energía hidroeléctrica generada por la represa será vendida a Tailandia, ya que la demanda de electricidad en Laos es muy baja. En realidad, uno puede sólo preguntarse por qué el gobierno de Laos acordó los términos para la construcción de la represa Houay Ho ya que parece haber pocos beneficios para los laosianos. La mayor parte de las ganancias provenientes de las ventas de electricidad irán para Daewoo y todos los costos ambientales y sociales relacionados por los proyectos no fueron considerados virtualmente en el análisis de costos y beneficios o en el acuerdo entre el gobierno de Laos y Daewoo. Por lo tanto, Laos y su pueblo tendrán que absorber estas pérdidas sin ningún costo para los constructores de represas (IRN, 1999).

Como parte del negocio de la represa, Daewoo acordó construir un nuevo camino en la meseta Boloven hasta la ciudad provincial de Attapeu, la cual está situada al sudeste del emplazamiento de la represa a lo largo del Río Sekong. Atravesando la densa selva, el primer plan de los coreanos para el camino finalizó antes de alcanzar su destino prescrito, al borde de un acantilado de 200 metros. A pesar de derribar una gran área boscosa con las topadoras a lo largo del borde de la empinada montaña y de causar una serie de deslizamientos de tierra y daños considerables al frágil acantilado, los constructores del camino finalmente llegaron a la conclusión de que no les era posible continuar. Entonces abandonaron el primer camino y siguieron una ruta diferente en el valle del río Xe Nam Noi. Aunque ese camino ya ha sido finalizado, ambos caminos, junto con otros caminos de acceso relacionados con el proyecto, han causado una gran cantidad de daños a la meseta, a sus bosques y a su fauna (IRN, 1999).

Durante la construcción de la represa de Houay Ho, dos compañías madereras tailandesas invadieron el área para apropiarse de la valiosa madera de los bosques prístinos en el área del embalse de la represa antes de que sus compuertas fueran cerradas y más de 32 kilómetros cuadrados de tierra heuny fueran inundados. De acuerdo a los funcionarios forestales provinciales de Champasak, el acuerdo entre el gobierno de Laos y Daewoo estipula que la represa sería cerrada en 1997, independientemente de sí el gobierno haya sido capaz de terminar con la tala del área del embalse, o no.

Aparte de trabajar en el área del embalse, las compañías madereras han cortado el bosque para construir 10 kilómetros de nuevos caminos para todo tipo de condiciones climáticas para brindar a los constructores de la represa un fácil acceso a áreas previamente remotas. En medio de la confusión, algunos madereros tailandeses también aprovecharon la oportunidad para sacar grandes árboles de las áreas adyacentes, no prescritas oficialmente para la extracción de madera por el gobierno de Laos.

Para empeorar aun más las cosas, los equipos carreteros coreanos derrumbaron irrespetuosamente con excavadoras una serie de casas sepulcrales sagradas j'rou, destruyendo muchos de estos sitios tan importantes culturalmente.

A pesar del daño que la explotación maderera intensiva y la construcción de caminos está haciendo al área, junto con el impacto de la inmigración de cientos de trabajadores del exterior para construir la represa, incluyendo a tailandeses, indonesios y sudafricanos, los heuny tenían otras cosas en mente. Su mayor problema ha sido el plan para reasentar a 12 de sus aldeas, incluyendo dos comunidades j'rou densamente pobladas, fuera de los bosques y fuera de sus tierras tradicionales. El reasentamiento abriría paso a la represa Houay Ho y también al Proyecto Hidroeléctrico Xe Pian-Xe Nam Noi, que es otro gran proyecto de represa cuyo comienzo de construcción fue programado para 1996 por la multinacional coreana Dong Ha Co.

Se contrató a un equipo de consultores socioeconómicos de Electrowatt Co. para considerar el plan de reasentamiento de los heuny. Este equipo determinó que el sistema de agricultura heuny es sustentable y no cons-

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tituye una seria amenaza para el medio ambiente o los bosques, debido a la baja densidad de población del área (apenas dos habitantes por kilómetro cuadrado). Estas conclusiones están en conflicto directo con los alegatos del gobierno de Laos de que los heuny necesitan ser reasentados debido al daño que están cometiendo contra los bosques (Electrowatt, 1996).

No obstante, los planes para reasentar las 12 aldeas (incluyendo 10 aldeas heuny), comprendiendo el 50% de todas las comunidades heuny existentes, se movieron con rapidez. De acuerdo a los laosianos que trabajaban para los coreanos, las quejas de los heuny sobre estos planes no influyeron a los funcionarios del gobierno o a los administradores del Proyecto Houay Ho, a quienes se habían dirigido los aldeanos. Como lo expresó un aldeano, *"ninguno de nosotros quiere ser trasladado, pero ¿qué podemos hacer? Nadie nos quiere escuchar. Les dijimos que nunca aceptaríamos irnos pero ellos dicen que si no aceptamos, el gobierno nos forzará a trasladarnos".*

Reasentamiento: una pesadilla que se hace realidad

A fines de 1994, las primeras cuatro aldeas situadas en la parte oriental de la meseta Boloven – Ban Thong Gnao, Ban Nam Han, Ban Nam Tieng y Ban Nam Ngaw- fueron reasentadas por la fuerza por el gobierno a una nueva localidad llamada "Ban Chat San". El nombre puede ser traducido aproximadamente como "aldea planificada". Alrededor de un año después, Ban Latsasin y Ban Xe Nam Noi también fueron trasladadas. A fines de 1996, Ban Nam Leng y Ban Keo Khoun Muang fueron las próximas aldeas en ser reasentadas en Ban Chat San y, a comienzos de 1998, Ban Nam Kong y Ban Houay Soi fueron también trasladadas. Las cuatro etapas del reasentamiento fueron realizadas en un período de casi cuatro años entre principios de 1995 y fines de 1998. Diez aldeas en total, incluyendo a nueve comunidades heuny (de un total de 20 comunidades) y una aldea j'rou fueron reasentadas por la fuerza en Ban Chat San. 1.598 personas pertenecientes a 421 familias han sido trasladadas allí hasta el momento (*com. pers.*, funcionarios gubernamentales laosianos, julio del 2000). La represa Houay Ho había sido finalizada y se estaba generando electricidad y exportándola a Tailandia (IRN, 1999).

La construcción inicial de la represa Xe Pian-Xe Nam Noy por parte de la compañía surcoreana Dong Ah Co. comenzó en 1997. Aunque se han construido muchos caminos desde entonces a través del bosque, Dong Ah se retiró del área del proyecto en 1999 cuando quedó en claro que Tailandia no iba a comprar tanta electricidad a Laos como se había esperado inicialmente. No queda claro si retornarán al proyecto una vez que las perspectivas para vender electricidad mejoren, pero el verdadero trabajo de construcción de la represa todavía no había comenzado cuando Dong Ah retiró su personal y equipos del área.

Es irónico que de las diez aldeas que han sido reasentadas, sólo una (Ban Nam Han) fue situada dentro de las áreas de embalse de las represas Houay y Xe Pian-Xe Nam Noy. Por lo tanto, es incorrecto asumir que las comunidades tenían que ser reasentadas para dejar lugar a las represas. En realidad, la Evaluación de Impacto Ambiental para la represa Xe Pian-Xe Nam Noy recomendó específicamente que las comunidades no deberían ser reasentadas en Ban Chan San. En cambio, se sugirió que o bien fueran dejadas en sus localidades previas o fueran trasladadas un poco más arriba de la montaña para evitar ser inundadas por los embalses de agua de la represa (Electrowatt, 1996). Sin embargo, los realizadores del proyecto y el gobierno no siguieron este consejo.

Una etapa del plan de reasentamiento del gobierno sigue incompleta. Dos aldeas, Ban Houay Chote (heuny) y Ban Nong Phanouan (j'rou), todavía están por ser trasladadas, y las comunidades, relativamente grandes, comprenden 855 personas pertenecientes a 226 familias. Todavía no han sido reasentadas debido a la falta de fondos del gobierno para financiar el traslado. El gobierno provincial no ha tenido éxito hasta el momento en obtener ayuda de colaboradores internacionales para reasentar a las dos últimas aldeas en Ban Chat San. Si son trasladadas, la población total de Ban Chat San aumentará a unas 2.453 personas pertenecientes a 647 familias.

Los funcionarios gubernamentales dijeron a los líderes de Ban Houay Chote y Ban Nong Phanouan que todavía se espera que sean finalmente reasentados forzosamente pero también se ha dicho a los aldeanos que es posible que no sean reasentados para nada. Los habitantes de las dos comunidades son enfáticos en su oposición a ser trasladados a Ban Chat San, ya que han visto los sufrimientos que otros ya han tenido que soportar. No obstante, los aldeanos son especialmente críticos sobre los inciertos planes de reasentamiento, ya que al menos quisieran saber si van a ser trasladados o no. Los aldeanos no están dispuestos a plantar ningún cultivo a largo plazo o reparar sus casas debido a la incertidumbre de su permanencia en las actuales aldeas en el futuro. No pueden planificar su futuro pues no saben cuando serán trasladados. Un aldeano de Ban Houay Chote dijo, *"no queremos ser reasentados, pero si el gobierno dice que debemos hacerlo, entonces queremos saberlo con certeza para que podamos planificar el futuro. También queremos saber si no nos van a trasladar así podremos seguir construyendo nuestra comunidad".*

Escasez de alimentos

La situación es miserable para las diez aldeas que ya han sido trasladadas y parece estar deteriorándose. Como se anticipó mucho antes de que la gente fuera reasentada en Ban Chat San (ver Electrowatt, 1996), el mayor problema que enfrentan los reasentados es una seria carencia de tierras apropiadas para la agricultura en el área de Ban Chat San. Los investigadores socioeconómicos asociados a la Evaluación de Impacto Ambiental (EIA) para la represa Xe Pian-Xe Nam Noi indican claramente que se requeriría un mínimo de tres hectáreas de tierra por familia para los reasentados. No obstante, la mayoría de los aldeanos ahora tienen solamente una o dos hectáreas y sólo unos

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pocos han obtenido las tres hectáreas completas que fueron prometidas. Gran parte de esta tierra es marginal, tierra de mala calidad cubierta con pasto imperata, que no es apropiado para la agricultura swidden.

Los problemas de tenencia de la tierra cerca de Ban Chat San son también serios, como se esperaba, y gran parte de la tierra otorgada a los reasentados era realmente tierra de cultivo en barbecho de las aldeas vecinas de Ban Thong Vai, Ban Nong I-Oi y especialmente Ban Nam Tang (ver Electrowatt, 1996). Los conflictos con estas comunidades han forzado a muchas personas reasentadas a abandonar tierras dadas a ellos por el gobierno pues los dueños originales de las tierras las reclamaron.

Otro serio problema con el plan de reasentamiento ha sido la expectativa de que los habitantes locales cambiarían de la agricultura rotativa al cultivo fijo de café. Durante los dos últimos años el precio internacional del café se ha derrumbado, haciendo que el cultivo sea mucho menos atractivo para los agricultores que hace unos pocos años. Con los precios actuales, que no se espera que aumenten mucho al menos durante los próximos años, no es factible para los reasentados cultivar café para vender y obtener el dinero necesario para comprar suficiente arroz para comer. Otro problema es que los retoños de plantas de café provistos a los aldeanos eran variedades enanas mejoradas que requieren una gran cantidad de cuidados y fertilizantes. Como los habitantes locales no tienen fondos para invertir en insumos y también tiene poco interés o experiencia en el cultivo del café, la mayoría de los cafetales no se han desarrollado bien y un gran número de retoños han muerto.

Mientras que el 90% de las familias reasentadas solían ser autosuficientes en arroz antes de ser trasladadas, ahora se estima que el 95% tiene serias deficiencias de

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arroz, teniendo cultivado por familia sólo arroz suficiente para tres meses de alimentación como promedio. Algunos aldeanos que disponen de pequeñas parcelas se vieron forzados a cultivar pequeñas parcelas de arroz de montaña y otros cultivos en torno a sus casas, de manera similar a cómo solían hacer sus swidden. Sin embargo, el área disponible para estas pequeñas parcelas swidden no es suficiente y la fertilidad de la tierra no puede ser sustentada en estas parcelas indefinidamente sin dejarlas a cambio en barbecho en forma intermitente. No existen suficientes cultivos de alimentos en estas áreas para cumplir con las necesidades de subsistencia. Es más, sólo una pequeña cantidad de tierra boscosa ha sido entregada a los reasentados y la mayoría de la misma estaba degradada antes del establecimiento de Ban Chat San. Hay poca utilidad para los reasentados en estos pequeños remanentes boscosos, haciendo que la pesca y la recolección de productos forestales cerca de Ban Chat San sea muy difícil.

A la gente se le prometió un suministro de arroz para que sobrellevaran los tiempos difíciles directamente después de ser reasentados, pero esas promesas no fueron cumplidas. Aunque originalmente se calculaba que se proveería arroz para tres años para cada familia, luego se decidió que se daría arroz sólo para un año. Sin embargo, no se ha entregado ni siquiera esa cantidad. Los primeros tres grupos reasentados recibieron apenas arroz para tres meses y el último grupo todavía no recibió ni siquiera un grano de arroz. Esto condujo a serias carencias alimenticias para los habitantes locales. También se cree que otros artículos como vestimentas y frazadas han sido parcialmente desviados antes de alcanzar a los reasentados. Por ejemplo, se supone que cada persona recibiría una frazada, pero muchas familias sólo recibieron una frazada para toda la familia. No queda claro donde fue a parar el resto de las frazadas.

Es irónico que el reasentamiento de los heuny y los j'rou haya sido justificado en nombre de la protección ambiental, ya que aquellos que han estudiado su sistema de agricultura swidden no lo han considerado una amenaza al medio ambiente. (Chazée, 1999; Electrowatt, 1996; Wall, 1975). Aunque el gobierno de Laos ha abandonado su plan de detener la agricultura swidden para el año 2000, continúa con sus dogmáticos esfuerzos para disminuir la cantidad de cultivos rotativos del país. Parece existir una injustificada, pero continua creencia, por parte del gobierno ampliamente dominado por laosianos de las tierras bajas, de que toda agricultura swidden es mala; por lo tanto, los heuny se han convertido en las víctimas de esta creencia y de la política del gobierno.

Las personas reasentadas se enfrentan a serios problemas de subsistencia y de seguridad alimenticia y muchos se han visto forzados a vender su fuerza de trabajo en las aldeas circundantes para desbrozar y limpiar la tierra en una base diaria o mensual y por salarios muy bajos (frecuentemente a cambio de alimentos). Otros han resistido los intentos de asentarlos en Ban Chat San encontrando constantemente excusas para retornar a sus antiguos cultivos y aldeas, donde todavía se encuentra fácilmente peces y alimentos del bosque. Existen reglas estrictas que no permiten a los aldeanos moverse de Ban Chat San y se debe recibir permiso a los jefes aldeanos antes de que cualquiera pueda abandonar la aldea. No obstante, a juzgar de las muchas casas de apariencia abandonada (aproximadamente el 30%) en Ban Chat San, es claro que muchos aldeanos pasan más tiempo fuera de Ban Chat San que en la aldea, y no son infrecuentes los viajes de dos meses por vez. En 1999, alrededor del 20% de las familias también se trasladaron ilegalmente a otras aldeas heuny que no habían sido reasentadas para dedicarse a la agricultura rotativa. Sin embargo, ninguno tiene permiso legal para estar allí y sus niños no pueden ir a la escuela en las aldeas porque no son residentes registrados.

Otro serio problema es la falta de agua potable fácilmente accesible. Aunque se esperaba que se perforarían cinco pozos de bombeo manual, sólo se proveyeron tres y, de esos, sólo uno tiene agua apropiada para beber o para el uso doméstico. El agua de los otros dos pozos está contaminada con "minerales no identificados", que han hecho que el agua no sea utilizable. Los aldeanos de Ban Chat San alegan que incluso mueren las plantas regadas con el agua de los dos pozos. Aparte del único pozo operativo, los habitantes locales han embalsado una pequeña corriente de agua cerca de Ban Chat San y están usando secciones de bambú para descargar el agua. Sin embargo, los habitantes locales desarrollaron esta fuente de agua sin ninguna asistencia del gobierno o de otros. De cualquier manera, muchos aldeanos todavía tienen que trasladarse uno o dos kilómetros para llegar a la fuente de agua más cercana, lo que causa a los aldeanos dificultades considerables, especialmente considerando que solían vivir cerca de cuerpos acuáticos perennes con una calidad de agua relativamente buena. Tampoco hay buenas zonas de pesca cerca de Ban Chat San.

Disminución de los niveles de salud y educación

Los problemas de salud son serios para las personas reasentadas en Ban Chat San. La falta de agua potable de buena calidad ha contribuido al surgimiento de muchos problemas. Las enfermedades también se extienden más fácilmente debido a una densidad de población mucho más elevada en Ban Chat San. La desnutrición general y la nutrición deficitaria han empeorado mucho desde el reasentamiento y han contribuido generalmente a mayores problemas de salud. Los males estomacales y la malaria son las más comunes formas de enfermedad informadas por los aldeanos, pero ellos son también afectados por muchas otras enfermedades.

Se ha construido un atractivo centro de salud operado por el gobierno cerca de Ban Chat San y su personal está constituido por trabajadores de la salud del gobierno. Sin embargo, los aldeanos son muy críticos sobre el centro de salud y alegan que les es de poco uso. Originalmente, se suponía que se entregarían medicinas básicas a los reasentados sin costo, pero los trabajadores de la salud pronto comenzaron a cobrar indebidamente a los pacientes por estas medicinas. Más tarde, cuando los colaboradores extranjeros se dieron cuenta de esta práctica, la

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clínica volvió a entregar medicina gratis a los aldeanos pero, después de un corto período, los trabajadores de la salud comenzaron a venderlas otra vez. Para los aldeanos, el costo de las medicinas es una seria preocupación ya que la base económica de los habitantes de Ban Chan Sat se ha deteriorado considerablemente, dejándoles muy poco dinero. Sin dinero, la clínica sanitaria es de poco valor para los reasentados porque no pueden pagar la medicina y la mayoría de los aldeanos han vuelto a confiar en las ceremonias animistas como medio principal para espantar a los espíritus que causan enfermedades.

La educación primaria en el área de Ban Chat San se ha deteriorado recientemente a pesar del hecho de que la escuela construida para las personas reasentadas es relativamente atractiva. Para empezar, los padres tienen menos dinero de lo que solían y muchos no pueden, por lo tanto, pagar por la educación de sus hijos, incluyendo los útiles escolares básicos. Lo que es más importante, los adultos se deben aventurar frecuentemente a otros lugares lejanos, incluyendo sus viejos territorios, para encontrar alimentos forestales, peces y plantas. Como los niños son generalmente forzados a viajar con sus progenitores, muchos han tenido que abandonar la escuela. Los niños de ocho aldeas están amontonados en una sola escuela. La situación educativa es peor para las aldeas más recientemente reasentadas como Ban Houay Soi y Ban Nam Kong. Ambas tenían escuelas primarias en sus comunidades antes de ser reasentados, pero no existe ninguna escuela cerca de donde han sido trasladados. El área donde tuvieron que trasladarse queda a muchos kilómetros de la escuela, haciendo imposible para los niños asistir a la misma. Parece que tanto los niveles sanitarios como educativos han declinado desde que los aldeanos fueron reasentados.

Un "experimento" fallido

El programa de reasentamiento asociado con Ban Chat San ha sido un gran fracaso y la gente con estrechos contactos con las comunidades creen que al menos el 80% de las personas reasentadas retornarían a sus comunidades originales inmediatamente si se les diera la posibilidad. Han dejado de esperar prácticamente la ayuda del gobierno. Mientras que su primera opción sería retornar a sus antiguas aldeas, su segunda estrategia es trasladarse lentamente a otras aldeas heuny donde la tierra agrícola, el agua y los bosques son relativamente abundantes. Pero tienen que trasladarse poco a poco para no llamar la atención sobre su abandono de Ban Chat San.

Como las personas reasentadas están determinadas a irse de Ban Chat San de una forma u otra, no es probable que el gobierno pueda mantener allí a los aldeanos contra su voluntad. Irónicamente, el gobierno provincial considera que Ban Chat San es un ejemplo de sitio de reasentamiento y muchos quieren evitar quedar en ridículo si permiten que surja la verdad. Segundo, admitir los problemas que ocurren en Ban Chat San podría llamar la atención hacia el hecho de que gran parte del apoyo prometido nunca ha llegado a las personas reasentadas. Muchos funcionarios, que tienen las manos sucias, no desean por cierto que estos problemas se hagan públicos, especialmente a nivel provincial. El gobierno preferiría muy probablemente que los heuny permanecieran en Ban Chat San, porque permitirles vivir en sus pequeñas y diseminadas comunidades es considerado un riesgo potencial contra la seguridad. El gobierno no ha comprendido todavía que el mejoramiento del acceso carretero significa poco para los heuny de Ban Chat San porque ahora tienen poco para vender en los mercados externos, ningún dinero para comprar algo y ciertamente, no disponen de suficiente dinero para viajar frecuentemente en autobús.

Como es un pueblo indígena muy tradicional sumamente vulnerable, el futuro de los heuny de la meseta Boloven en el distrito de Pak Song es incierto. No obstante, lo que es claro es que están sufriendo increíblemente debido a un plan de reasentamiento forzoso muy mal concebido e implementado que, en realidad, ni siquiera era necesario. Ahora es hora de que el gobierno de Laos abandone este "experimento" y admita sus errores. Se debería permitir que los heuny y los j'rou retornen a sus aldeas tradicionales lo antes posible.

La primera parte de este artículo fue investigada y escrita en 1995 y 1996. Ahora, aproximadamente cinco años después, la meseta Boloven ha sido vuelta a visitar y el autor ha vuelto a investigar la situación de los pueblos indígenas que viven allí, particularmente los heuny. Quisiera agradecer a un colega heuny que está muy familiarizado con la actual situación de los heuny en el Distrito de Pak Song; él ha suministrado gran parte de la información, pero debe necesariamente permanecer anónimo. La segunda parte fue escrita con su ayuda en septiembre del año 2000.

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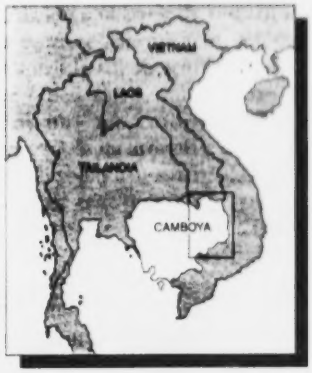
BALANCE SAGRADO:

CONSERVANDO LAS TIERRAS ANCESTRALES DE LAS COMUNIDADES INDÍGENAS DE CAMBOYA



Por Sara Colm

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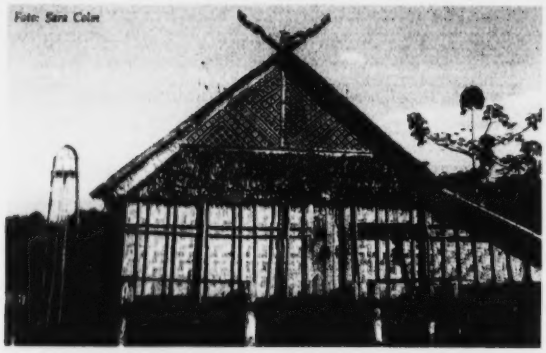

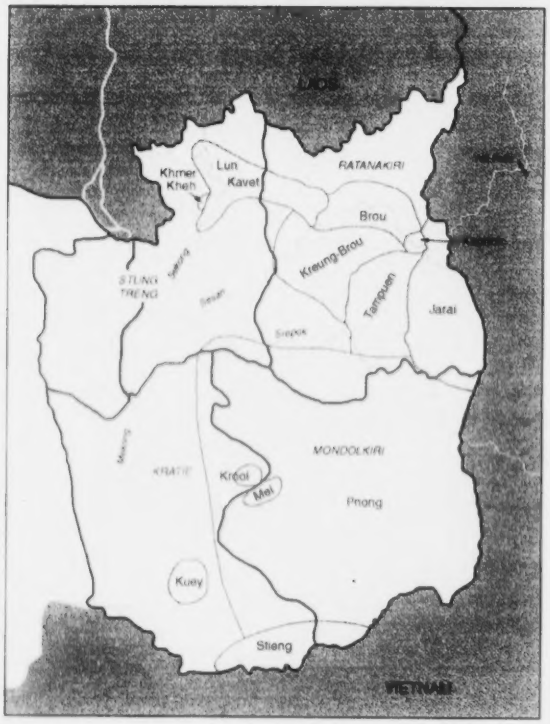

La provincia de Ratanakiri, que limita con Laos y Vietnam en el rincón nordeste de Camboya, es renombrada por la rica diversidad de sus características biológicas y sus culturas indígenas. Sin embargo, las tierras ancestrales y los estilos de vida tradicionales de los ocho grupos étnicos indígenas de Ratanakiri están amenazados por la tala de árboles, la especulación sobre la tierra y un desarrollo hidroeléctrico y agrícola no sustentables.

Como dice un aldeano indígena *kreung*: *"Los límites de nuestra aldea se extienden sólo hasta nuestros* ***chamkars*** *(parcelas swidden) –es decir, a una hora de camino- pero sustentamos nuestra existencia en un área mucho más amplia que esa, en el bosque más allá de los límites de nuestra aldea. Estos bosques son como nuestro mercado – es donde encontramos animales salvajes, nueces de malva, rattan, etc. Si las compañías se apoderan de esos bosques, moriremos".*

Los bosques de espíritus, las arboledas sagradas y las montañas de espíritus son los lugares más poderosos y significativos espiritualmente en el entorno geográfico de los montañeses. En un intercambio con un representante de las tierras bajas de una compañía maderera camboyana, un aldeano kreung explicó: *"Destruir nuestros bosques de espíritus es como si alguien entrara a su pagoda budista y destruyera las estatuas de Buda".*

Para los montañeses, los impactos físicos del desarrollo sobre las tierras ancestrales están entrelazados con repercusiones espirituales. El talado puede molestar a los espíritus del cielo, creando sequías y campos yermos. Las represas hidroeléctricas pueden enfurecer a los espíritus del agua y de los árboles. Cuando se liberan las aguas del embalse de una represa, explicó un aldeano *tampuen*, es como si se soltara a espíritus furiosos sobre la gente que vive río abajo, causando que algunos enfermen o se ahoguen en los torrentes de agua.

Hasta fines de los años 90, los grupos indígenas de Ratanakiri vivían relativamente autónomos debido al aislamiento físico de la provincia de la capital de Camboya, Phnom Penh. Gran parte de la atención del país estaba centrada en las provincias del noroeste que limitan con Tailandia, donde se desarrollaba la guerra civil con el Khmer Rouge. Los acuerdos de paz de 1991, intermediados por la ONU, condujeron a elecciones nacionales en 1993 y 1998. Con la defección de miles de combatientes del Khmer Rouge en 1999 y el cese de la actividad militar, Camboya está cambiando su centro de atención al desarrollo económico, incluyendo la explotación de sus recursos naturales.

Ratanakiri, con su rico suelo volcánico rojo, sus ríos prístinos, sus abundantes bosques de madera dura y su población relativamente baja, se ha convertido en la nueva frontera de la explotación comercial. Las necesidades, costumbres, creencias religiosas y estilos de vida tradicionales de los 60.000 habitantes indígenas de la provincia están en peligro con este auge comercial que podría forzarlos a dejar sus tierras ancestrales.

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Un mosaico cultural

Conocida como la "Cola de Naga" (la gigante serpiente mitológica), la provincia de Ratanakiri está formada por una ancha llanura montañosa en la cual se encuentra una meseta volcánica y una cadena montañosa menor que forma los límites nororientales del país con Laos y Vietnam. Esta región montañosa está cruzada por tres ríos importantes: el Se San, el Srepok y el Sekong. La diversidad cultural de Ratanakiri se ilustra en la amplia gama de tipos lingüísticos que se encuentran allí (ver Tabla más abajo). La provincia cubre un área de 1,16 millones de hectáreas y tiene una población de 80.000 personas, de las cuales el 75% pertenece a ocho grupos indígenas, además de los más recientemente llegados camboyanos de las tierras bajas (o khmers), vietnamitas, laosianos y chinos.

La mayoría de los grupos indígenas de Ratanakiri –los *tampuen, kachok, kreung, brou, lun, kavet* y *pnong*- pertenecen a la misma familia lingüística, mon-khmer. La lengua de los *jarai*, uno de los mayores grupos montañeses de Indochina, pertenece a la rama chámica del austronesiano, la familia lingüística que incluye al malayo.

Una historia turbulenta

El nordeste de Camboya ha sido una región estratégica durante largo tiempo, con sus corrientes de agua que sirven como vínculos claves para el comercio y el transporte de ejércitos. Los cham, los khmer, los lao y los tailandeses compitieron por el control del área desde el siglo XIII hasta el siglo XIX. En el siglo XVIII traficantes de esclavos hicieron incursiones en aldeas indígenas en

Grupo etnolingüístico	Población de Ratanakiri	Comentarios
I. AUSTROASIÁTICO: Rama bahnárica occidental del subgrupo mon-kmner brou		
Brou	5.500	Vivían tradicionalmente en el nordeste de Ratanakiri – ahora viven fundamentalmente a lo largo del río Se San debido a los programas de reasentamiento del gobierno de los años 60 y 80.
Kreung	14.000	Viven en la parte occidental de la meseta central y hacia el río Se San en el norte.
Kavet	2.000	Viven en el área forestada al norte del río Se San. Diferentes regímenes gubernamentales han intentado reasentarlos a lo largo del río Se San durante los pasados 30 años, aunque desde 1993 muchos han comenzado a emigrar gradualmente hacia sus antiguas áreas de asentamiento, más cercanas a la frontera con Laos.
Lun	150	Viven en los distritos de Vonsai y Taveng.
Rama bahnárica central de los mon-khmer		
Tampuen	18.000	Viven en Ratanakiri central, en la meseta central, en torno a Banlung y en muchas partes de los distritos de Lumphat y Bokeo. Previamente se habían extendido a la frontera vietnamita pero fueron empujados hacia el oeste.
Kachok	2.200	Viven en los distritos de Andong Meas y Vonsai de Ratanakiri, cerca del río Se San
Rama bahnárica sur de los mon-khmer		
Pnong	Muy pocos	Viven en el distrito de Lumphat en el sur de Ratanakiri, pero los pnong constituyen el 80% de la población de la provincia de Mondolkiri.
II. AUSTRONESIANO: rama chámica		
Jarai	14.000	La mayoría de los jarai viven en Vietnam. En Camboya viven en un cinturón a lo largo de la frontera vietnamita entre los ríos Se San y Srepok.
Otros		
Lao	6.500	Viven fundamentalmente a lo largo de los ríos principales. Primero se asentaron en el nordeste de Camboya en el siglo XVII. El casamiento con miembros de otros grupos indígenas es bastante común.
Chinos	200	Distrito de Vonsai. Se trasladaron de la provincia Guangdong de China vía Phnom Penh desde los años 40.
Vietnamitas	750	Viven en la ciudad de Banlung.

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busca de esclavos para vender en los mercados de las principales áreas urbanas de Tailandia, Laos y las tierras bajas de Camboya.

Los comerciantes franceses de los años 1850 describen una relación tributaria entre la realeza camboyana, residente en las tierras bajas, y los reyes jarai de Fuego y Agua, quienes poseían un sable con cualidades mágicas. El tributo a estos guardianes de las tierras altas del norte del Reino de Camboya –que incluía elefantes, alambre de bronce, hierro, artículos de vidrio y seda- era considerado como un medio para asegurar las áreas vulnerables a la invasión foránea.

A fines del siglo XVII y comienzos del siglo XIX, cuando los tailandeses conquistaron partes del norte de Camboya y del sur de Laos, las poblaciones indígenas fueron cargadas con pesados impuestos en oro por sus nuevos gobernantes y el comercio de esclavos se encontró más que nunca a sus anchas. Los montañeses respondieron con diversos levantamientos pequeños, la mayoría de los cuales fueron infructuosos. Cuando los franceses colonizaron la región establecieron la Misión Kontum en 1849, del otro lado de la frontera con Ratanakiri, en Vietnam, y anexaron gran parte de las cuencas del Se San y del Srepok. En 1863, el rey camboyano Norodom fue forzado a convertir a Camboya en un protectorado de Francia, seguido en 1884 por su plena conversión en una colonia francesa. En 1887, los tailandeses se establecieron en Takalan, sobre el Se San, que luego se convirtió en Vonsai. Imposibilitados de competir en estas luchas entre los franceses y los tailandeses, los khmer abandonaron el valle de Srepok.

En 1985 Camboya perdió Attopeu, Siempang y Stung Treng, primero ante la Cochinchina y luego ante Laos. Fronteras trazadas arbitrariamente atravesaron los territorios indígenas y la frontera entre Camboya y Annam dividió el territorio jarai, y la frontera entre Camboya y Laos separó a los brou y los kavet de Stung Treng de sus parientes del otro lado de la frontera. Durante varios años, los montañeses –particularmente los *sedang* y los jarai- resistieron al régimen francés y atacaron puestos coloniales de avanzada. En 1904, la provincia de Stung Treng retornó a Camboya.

En 1953, bajo el régimen del Príncipe Norodom Sihanouk, Camboya obtuvo la independencia de Francia. A comienzos de la década de 1960 el régimen de Sihanouk comenzó a forzar el traslado de las aldeas montañesas de Ratanakiri de los bosques de bambú en las montañas cercanas a Laos a concentraciones más "ordenadas" a lo largo de las carreteras principales o a lo largo del río Se San. La agenda del gobierno era contener a los pueblos indígenas y cortar los contactos con los insurgentes laosianos, vietnamitas y camboyanos, y al mismo tiempo "modernizar" a las minorías. Los programas de desarrollo de Sihanouk incluían la creación de plantaciones de caucho, la construcción de caminos y escuelas, y el asentamiento en Ratanakiri de camboyanos de las tierras bajas.

Después de que Sihanouk comenzó a tratar con dureza a los izquierdistas en Phnom Penh a comienzos de los sesenta, Pol Pot, Ieng Sary y otros altos líderes del Khmer Rouge abandonaron Phnom Penh y se establecieron en los bosques del nordeste de Camboya. Reclutaron miembros

Un vehículo maderero Hero abre un nuevo camino a través de una zona boscosa en Ratanakiri.
Foto: archivo de IWGIA

entre los montañeses, muchos de los cuales estaban descontentos con el gobierno central y construyeron gradualmente una fuerte base revolucionaria en Ratanakiri.

A mediados de la década de 1960, comenzó el trabajo en una plantación de caucho estatal de 8.000 hectáreas cerca del puesto militar de Labansiek, en Ratanakiri. El desarrollo de la plantación no dejó de ser problemático con la colisión de los nuevos colonos con los antiguos ocupantes de la tierra, quienes dependían de la misma para su subsistencia. La situación se inflamó en 1968 cuando aldeas brou, tampuen y kreung resistieron la invasión de la plantación. Cuando fueron brutalmente reprimidos por fuerzas gubernamentales –que saquearon y destruyeron sus aldeas- muchos aldeanos huyeron a los bosques, donde se unieron a los rebeldes del Khmer Rouge. Más al norte, en Vonsai, el Khmer Rouge organizó a los aldeanos para que manifestaran contra los excesivos impuestos. En el distrito de O Yadao, al este, fueron reclutados jarai para unirse a "la lucha" como una alternativa frente a tomar trabajos de corto plazo como trabajadores de la plantación.

En febrero de 1968, Sihanouk reconoció públicamente el descontento de los montañeses con el gobierno. Sin embargo, afirmó que el principal problema de Ratanakiri era su baja población; la respuesta fue el desarrollo de caminos y el reasentamiento de más colonos.

A fines de los años 1960, la Guerra Americana en Vietnam comenzó traspasar la frontera con Camboya. Los

bombardeos de EE.UU., que comenzaron en 1970, forzaron a los montañeses a abandonar sus aldeas e introducirse en los bosques, donde vivieron con los rebeldes. Muchos de los grupos indígenas fueron receptivos a la retórica del Khmer Rouge en los primeros tiempos, como alternativa a las políticas del gobierno central. El Khmer Rouge tuvo la capacidad de explotar el creciente resentimiento con respecto al gobierno central y luego apareció como un reemplazo después del golpe de estado de 1970 del General Lon Nol, cuyo régimen nunca logró dominar las provincias del nordeste. A mediados de 1970, las fuerzas de Lon Nol se retiraron del nordeste y Ratanakiri se convirtió en una "zona liberada" del Khmer Rouge – cinco años antes que la mayor parte del resto de Camboya.

Indudablemente, en muchas instancias, el Khmer Rouge usó la coerción y el temor para alistar indígenas en apoyo de su revolución. Pero su anterior "casamiento por conveniencia" pronto se agrió después del cese de los bombardeos estadounidenses en 1973, cuando el Khmer Rouge comenzó a implementar proyectos radicales de cooperación, trabajos forzados y programas de comidas comunales en Ratanakiri. Miles de montañeses huyeron a Vietnam y Laos en 1974 y 1975. Muchos de los que permanecieron fueron ejecutados por no seguir el programa del partido o murieron de hambre, enfermedades y debido a las duras condiciones de trabajo.

En 1979, las tropas vietnamitas forzaron al Khmer Rouge a desplazarse hacia la frontera tailandesa y establecieron un gobierno socialista en Phnom Penh bajo la égida de Heng Samrin, el cual condujo una guerra contra el Khmer Rouge durante la década de 1980. Los problemas de seguridad, los malos caminos y la ausencia de un servicio aéreo regular, dejaron a Ratanakiri aislada de las tierras bajas de Camboya durante este período. Después de que las Naciones Unidas negociaron acuerdos de paz en 1991 y elecciones nacionales en 1993 –además del comienzo de vuelos regulares desde Phnom Penh-Ratanakiri comenzó a abrirse al turismo, los negocios y el trabajo de Organizaciones No-Gubernamentales (ONGs).

Frutos del bosque

La mayoría de los montañeses subsisten en base a la agricultura swidden, suplementada por la caza, la pesca y la recolección de productos forestales. En la estación seca, los aldeanos limpian parcelas swidden (*chamkars*), secando y quemando los árboles y la maleza. Las parcelas swidden son plantadas al comienzo de la estación lluviosa y la misma parcela puede ser usada durante un período que va de uno a cinco años, dependiendo de la calidad del suelo. Las parcelas son luego dejadas en barbecho para permitirles recuperar su fertilidad antes de ser cultivadas de nuevo. Los aldeanos rotan luego sus parcelas a otros campos que han recuperado su fertilidad o a áreas que nunca han sido taladas.

Los montañeses cultivan una variedad de cultivos en sus parcelas swidden, incluyendo arroz de montaña, mandioca, taro, caña azucarera, maíz, boniatos, batata, frijoles, ajíes, sésamo, tabaco, ananaes (piñas), calabazas y otros vegetales. En las aldeas y *chamkars* plantan árboles frutales como plátanos, anacardos, papaya y mangos. Las áreas limpiadas para la agricultura swidden no son usualmente bosques primarios sino bosques secundarios o bosques en barbecho que tienen de ocho a veinte años de antigüedad. Además de la agricultura swidden, alguno de los grupos de las montañas cultivan arroz húmedo en arrozales permanentemente inundados.

Los bosques secundarios y los añejos cerca de las tierras de cultivo de la aldea son también parte integral de la economía local de los montañeses, proveyendo cotos de caza y muchos de los productos forestales de los cuales los aldeanos dependen para su subsistencia, como vides, resina, miel, nueces, bambú y rattan.

La mayoría de los montañeses tienen un claro sentido de la extensión física de la tierra aldeana usada para el cultivo, generalmente definida por corrientes de agua, montañas u otras características geográficas. Los emplazamientos aldeanos no se mueven tanto como se piensa comúnmente y los montañeses de Camboya no pueden ser considerados "nómadas". Cuando las aldeas son trasladadas, esto tiende a suceder dentro del área ancestral de cultivo de la aldea – frecuentemente se trata sólo de unos pocos kilómetros- y por razones específicas como malestar político, reasentamiento gubernamental, malos augurios, enfermedades excesivas u otras dificultades en el lugar actual.

La tierra de cultivo es distribuida de acuerdo a decisiones tomadas por los ancianos de la aldea y creencias espirituales, pero el resultado usual es que la tierra sea distribuida equitativamente. Por ejemplo, un estudio realizado por el Centro del Este y del Oeste demostró que diferentes aldeas de la Comuna de Poey, en el distrito de O Chum, tenían aproximadamente la misma cantidad de personas por kilómetro cuadrado, independientemente del tamaño de la población de la aldea.

No se requieren límites específicos entre las aldeas a menos que las áreas de cultivo de una aldea linden con las de otra. Entonces se establecen límites comunalmente y sólo si se juzga necesario para encarar necesidades reales. Muchos de los grupos montañeses creen que si cultivan en el *chamkar* de una aldea diferente, los espíritus se disgustarán y ellos encontrarán la desventura o la muerte. Cuando el *chamkar* de una aldea linda con el de otra, los ancianos de las dos aldeas pueden reunirse para decidir sobre los límites. No obstante, las negociaciones entre las aldeas sobre los límites no son siempre necesarias cuando las tierras de cultivo lindan porque la ubicación física de los *chamkars* y los tabúes contra cultivar en el área de cultivo de otra aldea definen los límites del cultivo.

Existen variaciones dentro de diferentes comunidades montañesas en lo que respecta a la adjudicación tradicional de recursos y movimientos de la aldea, y ocurren excepciones, incluso dentro de la misma comuna. La aldea kreung de Kralah ha permanecido en la misma ubicación durante la mayor parte de los últimos 100 años, mientras que aldeas *kres* vecinas se han trasladado 10 veces en los últimos 40 años. Grupos como los kavet del distrito de Vonsai, cuya aldea y sitios agrícolas han sido

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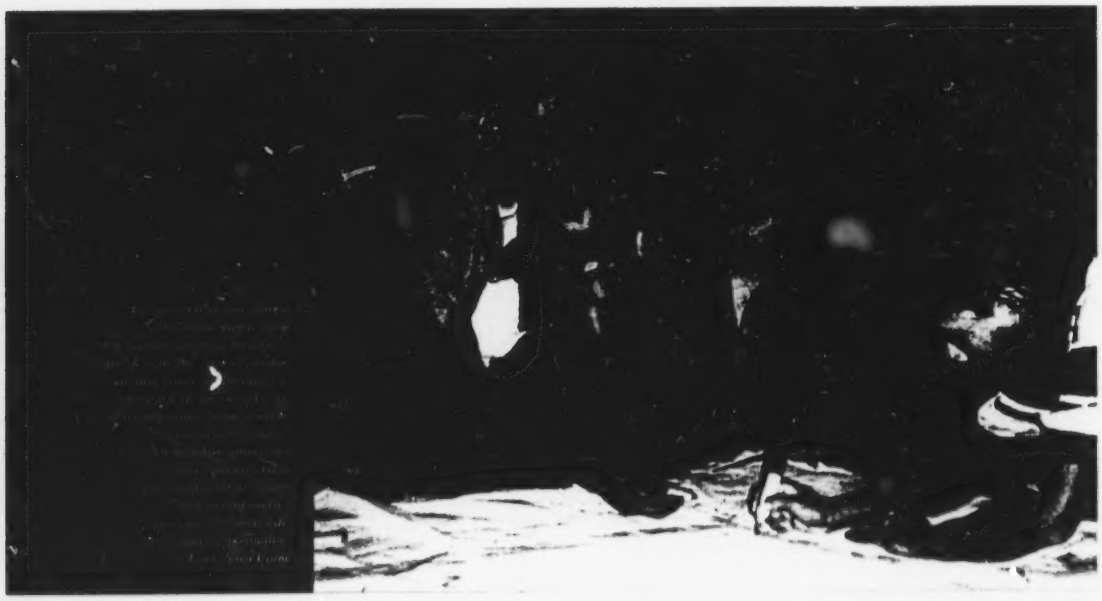
Una mujer kavet que dijo tener más de 100 años. Foto: Sara Colm

Talla tradicional en un cementerio tampuen. Foto: Sara Colm

Mujer kreung, distrito de O Chum, Ratanakiri. Foto: Sara Colm



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alterados numerosas veces por la guerra y por programas de reasentamiento del gobierno, no adhieren estrictamente a límites tradicionales de cultivo. Por otro lado, algunos kreung tienen políticas internas muy claras, prohibiendo la venta de las tierras swidden de la aldea. En la aldea Kralah, por ejemplo, los violadores son multados con el precio de la venta de la tierra y el resultado va a un fondo aldeano comunal, o son expulsados directamente de la aldea. La única condición bajo la cual se puede vender tierra es si existe acuerdo por parte de los ancianos de la aldea y el comité aldeano – una sola persona no puede tomar la decisión de vender una parte de la tierra comunitaria.

La política contraria a las ventas de tierra de Kralah fue reforzada por el malestar sobre los derechos a la tierra en los años 60, como explicó el jefe Ya Kuoch: *"Desde el tiempo de nuestros ancestros nunca vendimos nuestra tierra. En el pasado, una compañía francesa quería plantar caucho aquí. Nos tenían para servirlos y trabajar en su plantación de caucho. Nuestra tierra fue vendida a la compañía. Trabajamos para ellos pero seguimos siendo pobres – no hubo desarrollo para nosotros. Entonces decidimos no vender a compañías - ¿donde cultivarían nuestros nietos en el futuro?"*.

La religión de las tierras altas

La mayoría de los montañeses de Ratanakiri ha seguido sistemas espirituales holísticos durante generaciones, con variaciones menores entre los diferentes grupos étnicos. El entorno que rodea a los montañeses y a sus aldeas –incluyendo montañas de espíritus, cementerios, parcelas swidden o áreas donde se recogen los productos forestales- está imbuida de valores espirituales. Esto implica la creencia en espíritus de los ancestros, espíritus guardianes que cuidan las aldeas, así como espíritus que residen en rocas, árboles, corrientes de agua, viento, campos agrícolas, montañas y otros fenómenos naturales.

"Hay espíritus antiguos, espíritus jóvenes, espíritus grandes y espíritus pequeños", explicó un anciano kreung. *"Están en todos lados, por ejemplo, en el lugar donde plantamos frutales. Pero la montaña es como la aldea para los* ***arak*** *[espíritus] – es el lugar donde se reúnen. En otros lugares no son tan grandes o poderosos, como en la aldea y no nos pueden afectar tanto"*.

Se cree que estos espíritus detentan poderes inmensos y, si son tratados adecuadamente, pueden prevenir las enfermedades, las malas cosechas u otras calamidades. Cuando los espíritus no son tratados adecuadamente, sin embargo, las consecuencias para las aldeas así como para los aldeanos en forma individual, pueden ser muy severas. Según los sistemas de creencias montañeses, la agricultura swidden también es afectada por espíritus. Cada paso del ciclo agrícola está acompañado, por lo tanto, por ceremonias y ofrendas a los espíritus –frecuentemente realizadas en las mismas parcelas swidden- para asegurar una buena cosecha y proteger a los aldeanos de todo mal. Incluso la decisión sobre la ubicación de las parcelas swidden implica invocar a los espíritus. *"Primero limpiamos un pequeño trozo de bosque como prueba para preguntar si el* ***yang*** *(espíritu) nos da la tierra"*, explicó un aldeano jarai. *"Si ningún animal grita o tenemos un buen sueño, entonces limpiamos un poco más. Hacemos esto durante tres días y si todavía no hay problemas después del tercer día, limpiamos todo el chamkar"*.

Cuando la enfermedad o la desventura golpean una comunidad, se consulta a los *mey arak* o curanderos que pueden comunicarse con los espíritus, para que intervengan. Ellos determinan cuál es la causa del problema, generalmente mediante un sueño, y luego organizan la respuesta apropiada, usualmente en forma de una ceremonia o ritual para apaciguar a los espíritus.

Las ceremonias espirituales son usualmente celebradas en la aldea o en el *chamkar*, pero también pueden celebrarse en el bosque o en las riberas de un lago o corriente de agua que sea concebida como espiritualmente potente. De acuerdo a los requisitos de los espíritus se sacrifica un pollo, un cerdito, una vaca o un búfalo. El *mey arak* o líder aldeano luego hará el *"sein arak"*, o invocación de los espíritus sobre una jarra de vino de arroz. Después de la parte formal de la ceremonia los aldeanos pueden permanecer reunidos durante muchas horas, festejando, cantando y tocando gongs mientras que se traen más jarras de vino para beber.

La enfermedad es generalmente atribuida a que el espíritu de una persona se perdió o fue capturado, bien por un *arak* o por un espíritu de los muertos. Hay muchas ceremonias para asegurar la salud y para superar la enfermedad. Los pacientes pueden ser conducidos a un "medio" que se puede comunicar con los espíritus, quien usará diversas técnicas para determinar la causa de la enfermedad y los posibles remedios.

Muchos de los grupos de la montaña tienen tabúes para determinadas plantas y animales, por ejemplo, en varias aldeas kreung el taro de agua no es comido, los pitones no son cazados y el bambú silvestre no es cortado, usado, ni comido. El origen del tabú del bambú silvestre proviene del tiempo de los ancestros fundadores de los aldeanos, de quienes se dice que hace muchas generaciones encontraron refugio contra enemigos en una arboleda de bambú silvestre durante épocas de guerra.

Bosques de espíritus

Para muchos de los grupos montañeses, los bosques de espíritus, las arboledas sagradas y las montañas de espíritus juegan un rol central en sus creencias religiosas y son tratados con profundo respeto. Cada bosque de espíritus o montaña de espíritus tiene su propia historia y leyendas asociadas, las cuales han sido trasmitidas por los ancianos de la aldea de generación en generación.

Los bosques de espíritus son frecuentemente identificados mediante un sueño, particularmente por un medio o *mey arak*. A veces un bosque de espíritus se da a conocer como resultado de un poderoso encuentro espiritual en ese bosque en particular. A veces un bosque de espíritus es identificado después de que un miembro de la comunidad cae enfermo o muere luego de haber ido al bosque de espíritus. La enfermedad o las pesadillas son frecuentemente atribuidas a los espíritus que han enfurecido por la

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alteración del medio ambiente natural, por ejemplo, después de talar o de la recolección de productos forestales en un bosque de espíritus.

Los bosques de espíritus son caracterizados por los montañeses como bosques profundos con vegetación antigua, grandes enredaderas y características físicas extraordinarias como grandes peñascos, pozos de agua profundos de formación natural, estanques, cascadas, salinas que atraen a la fauna e incluso en un caso en el Distrito de O Chum, columnas de piedra que se piensa han sido ubicadas en la cima de la montaña cientos de años atrás por los dioses.

Creen que en algunos bosques de espíritus residen "habitantes forestales", responsables de las voces, risas, tañidos de gong u otras evidencias de actividad mágica o humana inexplicables que los aldeanos encuentran en los bosques de espíritus. Generalmente son considerados como criaturas bastante benignas, aunque pueden espantar a los seres humanos que entran en su territorio, gritándoles o riéndose de ellos.

Ciertos bosques de espíritus son demasiado potentes para que entren los humanos. Antes de entrar a un bosque de espíritus para cazar o recolectar productos forestales, los aldeanos organizan frecuentemente ceremonias y hacen ofrendas a los espíritus para obtener su permiso. La creencia es que si logran cazar exitosamente animales salvajes, es sólo porque los espíritus les han "dado" los animales a ellos. Sin embargo, los bosques de espíritus son fundamentalmente sitios sagrados, no áreas de recolección de recursos. *"Los bosques de espíritus no son importantes para nuestro uso sino para nuestro respeto"*, dijo un aldeano kreung. *"Aquellos que recogen productos forestales en bosques de espíritus piden permiso antes"*.

Si personas ajenas a la aldea quieren ir a algún bosque de espíritus, deberían preguntar primero a la aldea. *"Pueden venir y mirar pero no pueden cazar animales"*, dijeron los aldeanos sobre la montaña de espíritus Yol. *"No podemos permitir a personas de afuera cortar árboles o cazar allí"*. Los aldeanos recuerdan un incidente en 1998 cuando un niño y varios adultos de dos aldeas murieron después de que madereros cortaron árboles con una motosierra en la Montaña Yol. La gente oró a los *arak* y soñó que las muertes fueron causadas por espíritus furiosos.

Amenazas a la seguridad de la tierra

Alrededor de un tercio de la provincia de Ratanakiri ha sido designada como áreas protegidas por decreto real, incluyendo al Parque Nacional Virachey y el Santuario de la Fauna Lumphat. Personal de las ONGs locales y del Ministerio de Medio Ambiente están intentando hacer participar activamente a los montañeses que viven dentro y en torno a las áreas protegidas en el manejo del parque y no tienen planes de expulsarlos. Sin embargo, en la medida en que avanza el desarrollo económico tradicional en Ratanakiri, la diminución del acceso a la tierra y a los recursos naturales está afectando la capacidad de las poblaciones indígenas para mantener en forma segura sus medios de subsistencia.

Gran parte del área de tierras de la provincia –incluyendo la zona de amortiguación del Parque Nacional Virachey- ha sido aprobada para concesiones madereras. En 1995, el gobierno aprobó una concesión de 30 años de 1,4 millones de hectáreas a Macro-Panin, una compañía indonesia. Se ha otorgado dere-

chos a otras compañías para exportar decenas de miles de metros cúbicos de madera talada a Vietnam a cambio de mejoras en la infraestructura pública en Ratanakiri, la mayoría de las cuales nunca han sido materializadas.

Las operaciones madereras –tanto legales como ilegales- escalaron durante la etapa preparativa de las elecciones nacionales de 1998, cuando el ingreso de la explotación maderera por parte del ejército y la policía fue usado para financiar la campaña electoral en favor del Partido del Pueblo Camboyano, el partido en el poder. Durante este período, más de 200.000 metros cúbicos de troncos fueron ilegalmente exportados de Ratanakiri a Vietnam de acuerdo a investigaciones de Global Witness, una organización independiente de monitoreo.

"Nadie se atrevió a protestar", dijo un aldeano jarai describiendo el talado cerca de la frontera vietnamita. *"Tenían soldados, gente de la provincia, la gran delegación. La compañía dijo que tenía la aprobación del distrito y de la provincia. No hubo ninguna consulta con el pueblo. El perro no se atreve a morder al elefante - ¿quién se puede animar a protestar?"*. Aldeanos kreung de O Chum dijeron: *"El gobierno dice que nosotros somos los que destruimos los bosques pero en realidad son ellos. Los poderosos están cortando el bosque y haciéndonos pobres. Ellos deberían seguir sus propias leyes"*.

En enero de 1998, el gobierno autorizó una concesión de 25 años a Hero Taiwan Company, Ltd., para talar 60.150 hectáreas de bosque en Ratanakiri, en un área habitada por casi 10.000 personas, principalmente indígenas kreung. El plan de manejo de la compañía establecía que los sitios importantes para la cultura o la tradición, o las áreas que las comunidades desearan proteger, serían excluidos del talado. No obstante, mientras que se escribe esto, continúa el talado en bosques de espíritus respetados por los pueblos indígenas.

En marzo de 1999, surgieron conflictos entre la Hero Company y los kreung que viven en el área de la concesión cuando comenzó el talado sin previa consulta con las comunidades locales. En mayo de 1999, los representantes de Hero Company y funcionarios del gobierno, acompañados por policías armados, presionaron a los líderes aldeanos a poner su impresión digital en un acuerdo que permitía a la compañía talar sus bosques. Una semana después de esta firma forzosa, comenzó el talado.

Debido a la controversia en torno a la concesión, el gobernador provincial de Ratanakiri autorizó un estudio independiente de los recursos culturales para identificar y trazar mapas de las áreas de significación religiosa y cultural para los montañeses que viven dentro de la zona de la concesión, así como de las áreas de las cuales dependen para su subsistencia. Un equipo de investigación mixto, que incluía a trabajadores de ONGs, empleados gubernamentales y montañeses, unidades de aldeanos locales entrenados en el uso del Sistema Global Posicional (SGP) para que pudieran cartografiar –con la esperanza de proteger- los límites de algunos de sus bosques de espíritus.

En abril de 1998, la Pheapimex Fuchan Cambodia Co., Ltd. recibió una concesión en otorgamiento de 350.000 hectáreas en las provincias de Ratanakiri y Stung Treng, dentro de la antigua concesión Macro-Panin, la cual fue cancelada en 1997. La concesión de Pheapimex incluye la mayor parte de una zona de amortiguamiento para el Parque Nacional Virachey, habitada por más de 10.000 indígenas.

Además de las concesiones madereras, la provincia ha sido inundada por especuladores de tierras y aplicantes de concesiones comerciales para plantar palma oleaginosa, café, mandioca y nueces de anacardo. La Oficina de Títulos de Tierras de Ratanakiri ha recibido solicitudes para más de una docena de concesiones para proyectos en la provincia que abarcan de 100 a 20.000 hectáreas.

Crecientes cantidades de camboyanos de las tierras bajas están migrando a la provincia y generalmente obtienen títulos de parcelas de tierra, particularmente cerca de los pueblos comerciales. La tierra está siendo limpiada y en algunos de estos sitios se plantan cosechas industriales, mientras que otros siguen sin plantar porque los especuladores esperan una oportunidad para revender la tierra a un precio más elevado.

En las áreas cercanas a la capital provincial, Banlung, los montañeses se están acostumbrando más a una economía monetaria y muestran una creciente apertura a vender tierra aldeana – un fenómeno de rara ocurrencia en el pasado porque dependían completamente de sus *chamkars* para obtener su sustento.

Otros factores que afectan las tierras indígenas son los propuestos proyectos hidroeléctricos en los ríos Se San y Srepok y sus tributarios, lo cual desplazará a los montañeses que ya han sido trasladados por el gobierno de sus tierras ancestrales cerca de la frontera con Laos a nuevas aldeas a lo largo de las riberas fluviales. Sólo en Ratanakiri se han identificado seis sitios de represas, entre ellos uno –el Se San 3 de 260 MW- que proyecta inundar un área que se extiende desde el pueblo de Vonsai hasta la frontera con Vietnam. Aunque no es plenamente operativa, la represa de Yali Falls de 720 MW, construida en el río Se San en Vietnam, ya ha tenido devastadores impactos sociales y ecológicos sobre las comunidades indígenas que viven río abajo en Ratanakiri. Las descargas esporádicas y sin anuncio de grandes cantidades de agua han causado más de 30 muertes por ahogamiento, así como la destrucción de campos agrícolas, de botes, de zonas y equipos de pesca, deterioro de la calidad del agua y los consiguientes problemas de salud de seres humanos y animales, incluida la muerte de ganado y animales domésticos.

Algunas autoridades provinciales atribuyen los problemas relativos al desarrollo y al medio ambiente de Ratanakiri a los mismos montañeses, afirmando que el sistema swidden es responsable del destrozo de los bosques. *"Si estamos siempre pensando en el impacto sobre las minorías étnicas, nunca lograremos ninguna inversión"*, dijo Sal Phim, el ex teniente gobernador de Ratanakiri. *"Si preservamos la economía swidden tradicional, dentro de 100 años todavía no habrá ningún tipo de progreso"*.

Algunos funcionarios sugieren que los montañeses podrían alcanzar un mejor nivel de vida si cambiaran de la agricultura swidden al cultivo de arroz húmedo o si encontraran empleo en plantaciones industriales. Pero ambas opciones deben ser examinadas cuidadosamente. Incluso si los indígenas aceptaran participar en tales proyectos en su tierra, la cuestión es sí hay suficiente tierra para todos los pueblos indígenas de Ratanakiri como para cultivar arroz húmedo o suficientes puestos de trabajos en las propuestas plantaciones industriales. En 1996, una propuesta plantación de palma oleaginosa ofreció solamente 450 puestos de trabajo a más de 4.000 montañeses que vivían dentro de los límites de la plantación. Esto habría dejado a la mayoría de las personas que viven en torno a la plantación sin ningún *chamkar* y sin trabajo, si la plantación no hubiera sufrido un colapso debido a problemas financieros.

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En lo que respecta al cultivo del arroz húmedo, incluso si las tierras húmedas de la provincia fueran distribuidas equitativamente en toda la provincia, todavía no habría tierra suficiente para sustentar a todos los montañeses que viven en Ratanakiri. La actual especulación de tierras complica aun más el problema, pues grupos de negociantes forman asociaciones para comprar cientos de hectáreas de tierras húmedas para empresas agrarias. Esto saca tierra húmeda potencial del uso de los montañeses. Aparte del hecho de que muchos montañeses tienen tradicionalmente una gran resistencia a plantar arroz húmedo, la conversión de su sistema agrícola a la agricultura del arroz húmedo simplemente no es factible desde un punto de vista técnico.

Protegiendo las tierras ancestrales

El manejo consuetudinario de recursos de bosques de espíritus, áreas forestales de recolección y zonas de pesca, ha permitido a los pueblos indígenas de Ratanakiri mantener su cultura y medios de subsistencia durante generaciones. Sin embargo, el desarrollo comercial no sustentable está amenazando cada vez más la capacidad de los montañeses para satisfacer sus necesidades alimenticias, a la vez que también altera sus prácticas espirituales.

Una de las soluciones a la crisis de tierras es que los montañeses obtengan títulos legales para sus tierras agrícolas, sobre las cuales –mediante ocupación y uso- ya han establecido derechos de ocupación. Sin embargo, la mayoría de los indígenas carecen del conocimiento necesario sobre leyes rurales y no están en condiciones de acceder al pago de los costos estándar para obtener títulos. Los problemas de analfabetismo y lo remoto de las comunidades de las minorías étnicas con respecto a la capital provincial, unidos con las complejidades de las leyes y procedimientos existentes, impiden efectivamente a muchos montañeses obtener títulos a la tierra.

Además, muchos montañeses dicen que les preocupa que si se parcelan títulos individuales para islotes de tierra cultivable, los bosques circundantes quedarán abiertos para los especuladores, las concesiones y las compañías madereras, no dejando ningún bosque para la recolección, ningún tipo de biodiversidad y ninguna semilla para plantar.

Una respuesta sería que el gobierno otorgara derechos de uso a largo plazo para que las aldeas manejen y protejan su recolección y los bosques de espíritus, y adjudicara a las aldeas títulos comunitarios sobre su tierra agrícola. Los Ministerios de Medio Ambiente y Agricultura están redactando actualmente un subdecreto de silvicultura comunitaria que autoriza a las asociaciones aldeanas acceder y utilizar áreas forestales durante períodos de tiempo especificados mediante acuerdos contractuales con el gobierno. La ley de tierras de Camboya de 1992 está siendo actualmente revisada para incluir previsiones que posibiliten a las comunidades indígenas obtener títulos sobre sus tierras. Algunas ONGs locales y departamentos del gobierno de Ratanakiri están trabajando para educar a los montañeses sobre sus derechos a la tierra. Estos son pasos en la dirección correcta.

Las enmiendas a la ley incluyen previsiones para que las minorías indígenas no sólo obtengan títulos privados a su tierra sino títulos comunales sobre la tierra agrícola aldeana – incluyendo los *chamkars* en barbecho. De esta manera, los montañeses pueden continuar practicando el cultivo rotativo dentro de los límites tradicionales de la aldea, en vez de que se les adjudique una parcela en particular por familia.

La provisión del título comunal puede ser más compatible con el enfoque de los montañeses respecto a la adjudicación consuetudinaria de recursos. *"Es mejor tener un título para toda la aldea"*, dijo un aldeano tampuen. *"Si las parcelas individuales son tituladas, una familia podría recibir tierra montañosa, otra arrozales y una tercera podría recibir buen suelo rojo que podría finalmente ser agotado. Tiene mejor sentido obtener un título para las tierras aldeanas como un todo y luego decidir comunalmente quién va a cultivar y cuándo"*.

Tanto el Rey Sihanouk como el Primer Ministro Hun Sen han expresado un fuerte apoyo a que la nueva ley de tierras provea derechos de propiedad comunal a la tierra para las minorías indígenas. Ahora se debería ejercer presión sobre el gobierno para eliminar la explotación maderera no sustentable y proteger las tierras y bosques ancestrales de los montañeses contra una mayor invasión comercial.

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Sara Colm *ha trabajado como periodista, investigadora y activista por los derechos humanos en Camboya durante los últimos 9 años. En 1992 fue la primera editora ejecutiva del periódico Phnom Penh Post, ocupando luego el puesto de encargada de los derechos humanos para la Autoridad Transicional de las Naciones Unidas en Camboya. Actualmente es la investigadora de la organización Human Rights Watch/ Asia para Camboya y está escribiendo un libro que documenta la historia de las minorías indígenas de Camboya bajo el régimen del Khmer Rouge durante el período 1968 a 1979.*

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EXPERIENCIAS DE COMUNIDADES INDÍGENAS EN LA PROVINCIA DE RATANAKIRI, CAMBOYA

Foto: Christian Erni

Por Conny van den Berg

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"Hace unos dos años una compañía comenzó la extracción maderera en nuestros bosques. Los madereros hicieron mucho daño. Destruyeron y contaminaron fuentes de agua al construir los caminos dentro del bosque. Los árboles cortados cayeron sobre los bambúes que necesitamos para construir casas y arruinaron otros arbustos y plantas que usábamos para recoger frutos, vegetales y medicinas. Aparte de esto, la fauna ha abandonado el área debido a que los animales fueron asustados por el ruido de las motosierras. No nos agrada esta extracción maderera en nuestros bosques pero no podemos lograr que la compañía se retire. Ellos nos han ofrecido pagar por todos los daños. Los hombres de la aldea negociaron. Terminamos con madera para nuestra casa comunal y un edificio escolar, pero eso fue todo. Nosotras, las mujeres de la aldea no creemos que sea suficiente por todas las pérdidas que esta extracción maderera nos ha causado"[1].

La declaración anterior muestra apenas algunos de los complicados temas que surgen debido a la destrucción del medio ambiente en tierras indígenas: pérdidas de medios de subsistencia y polución del agua, pero también una alteración en la relación entre hombres y mujeres. Las mujeres que me relataron su historia pertenecían a una aldea del pueblo *kreung*, en el distrito de O'Chum, provincia de Ratanakiri, en Camboya, pero podrían haber sido de cualquier otro país en desarrollo. En muchos países en desarrollo se cortan bosques, se construyen represas y caminos en nombre del progreso y del desarrollo económico. Estos acontecimientos tienen su efecto sobre los recursos naturales de tales países. Muchos pueblos indígenas dependen de los bosques y otros recursos naturales, cruciales para su supervivencia. La marginación de los pueblos indígenas va frecuentemente de la mano de alteraciones de su medio ambiente natural. Pueblos que siempre podían confiar en el bosque para proveerlos de vegetales, frutos, animales salvajes, materiales para la construcción de viviendas, etc., se encuentran súbitamente sin nada una vez que se descubre que las tierras de las que siempre habían vivido son de interés económico para su gobierno e inversores (extranjeros). ¿Pero qué significa todo esto para los individuos, hombres y mujeres, de las comunidades indígenas? ¿Son los hombres y mujeres afectados diferentemente por los problemas ambientales? ¿Qué significa para la relación entre hombres y mujeres? ¿Cambiará la división del trabajo por género o permanecerá igual? Estas son algunas de las interrogantes que quisiera analizar en este artículo y utilizaré la situación de la provincia de Ratanakiri en Camboya y a sus pueblos indígenas para abordarlas. Antes de abocarme a estos temas describiré brevemente las características principales de la provincia y su pueblo.

La provincia y su pueblo

Ratanakiri tiene una serie de características que distinguen a esta provincia de las tierras bajas de Camboya. La región está cubierta por densos bosques y montañas. Súmese a esto ríos, arroyos, lagos de cráteres y numerosas cascadas y surge un paisaje hermoso. Los bosques y las montañas son el hogar de muchos grupos étnicos diferentes a quienes generalmente se les refiere como tribus montañesas o pueblos indígenas de las tierras altas (ver el artículo de Sara Colm sobre el mismo tema). Aunque son una minoría comparados con la población total de Camboya, en Ratanakiri constituyen aproximadamente el 70% de la población provincial. Esta cifra está en rápida disminución debido a la inmigración de *khmer* de las tierras bajas provenientes de otras provincias. Todos los pueblos indígenas de las tierras altas tiene mucho en común, como la práctica de la agricultura swidden. Además de su sistema agrícola, ellos tienen un sistema similar de creencias basado en el animismo. Su sistema de creencias, tradiciones y su sistema agrícola están íntimamente ligados. El manejo de recursos naturales está encastrado e integrado en la cultura y religión indígenas, y el medio ambiente, el cual se cree que está habitado por espíritus, es considerado con respeto y cuidado[2]. (Sobre religión indígena y conservación, ver también el artículo de Sara Colm).

Los roles de los hombres y de las mujeres

Para comprender las implicaciones de la degradación de los recursos naturales para los hombres y mujeres indígenas de Ratanakiri es importante referirse a la división tradicional del trabajo entre los sexos y los diferentes roles que juegan los hombres y las mujeres en la toma de decisiones en las comunidades indígenas.

Aunque tanto las mujeres como los hombres participan en la agricultura y otros trabajos productivos, cada uno tiene sus propias tareas diferenciadas. Los hombres se dedican generalmente a hacer el trabajo que es considerado pesado, como cortar árboles, quemar los campos y cazar. Las mujeres hacen el llamado trabajo liviano, como recoger vegetales y frutos, vender estos productos en el mercado y cuidar a los cerdos y a los pollos. Como en la mayoría de las sociedades, las mujeres y niñas indígenas de las tierras altas son responsables de las actividades reproductivas. Los hombres se encargan sólo ocasionalmente de tareas como el cuidado de los niños, ir a buscar agua, recoger leña o cocinar, cuando sus esposas están enfermas o ausentes. Sin embargo, ciertas tareas reproductivas[3], como la cestería y la reparación de casas son principalmente realizadas por los hombres. Para las mujeres, la combinación del trabajo productivo y reproductivo conduce a una pesada carga de trabajo carente casi totalmente de tiempo de esparcimiento[4].

Además, hay diferencias en el poder de toma de decisiones entre los hombres y las mujeres. Las mujeres tienen generalmente una participación tan grande como la de los hombres en asuntos financieros y agrícolas, aunque esto no sucede en la misma medida en todas las aldeas. Tales decisiones se toman dentro del núcleo familiar. Más allá del grupo familiar, las mujeres participan muy poco en la toma de decisiones. La vida política de la aldea es más o

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menos dominada por los hombres. Las mujeres son rara vez parte del grupo de ancianos de la aldea el cual funciona como organismo asesor en caso de disputas. Las mujeres toman parte usualmente de las reuniones de la aldea. Mediante un proceso democrático, en el cual, teóricamente, todos pueden expresar sus intereses, la aldea llega a una decisión. Sin embargo, las personas con mayor prestigio, riqueza, educación o conocimiento merecerán generalmente mayor confianza y, como resultado, su opinión pesa más que la de otros. La mayoría de estos "otros" consiste generalmente de mujeres, ya que ellas tienden a tener menos educación, son tímidas y tienen una autoestima más baja[5]. La pesada carga de trabajo de las mujeres es uno de los factores más importantes que les impide participar en la educación y en la toma de decisiones de la aldea[6]. Ellas no pueden dedicar tanto tiempo a la educación y a las reuniones como los hombres porque están demasiado atareadas en las tareas del hogar después de que han regresado de sus campos.

Asuntos de género y problemas ambientales

El equilibrio entre el sistema de subsistencia de los indígenas de las tierras altas y los recursos naturales es muy precario. Es sólo sustentable cuando se cumplen ciertos criterios. La población debe ser baja en las áreas donde se realiza la agricultura swidden[7]. En los últimos diez años, este equilibrio ha sido alterado por las operaciones madereras, las plantaciones industriales y la inmigración de personas de las tierras bajas de Camboya y Vietnam. Además, las represas hidroeléctricas también han estado causando problemas. Quisiera describir los problemas específicos que causa cada uno de los asuntos antes mencionados para las mujeres y hombres indígenas de Ratanakiri.

Extracción maderera

La extracción maderera, tanto legal como ilegal, es un gran problema en partes substanciales de la provincia. Se han otorgado concesiones a gran escala a dos compañías, aunque sólo una de ellas la está explotando activamente. El área de concesión de una de las compañías cubre gran parte de los distritos de O'Chum, Taveng y Veunsai. Los principales problemas que causa la extracción maderera para los aldeanos de esta área ya han sido mencionados en la introducción de este artículo. Aquí, las fuentes de agua tradicionales, donde van las mujeres a buscar agua potable, han sido destruidas en el transcurso de la construcción de caminos. Para las mujeres, esto implica tener que caminar más lejos hasta otras fuentes de agua. Ir por agua ya es de por sí una actividad que consume mucho tiempo y energía. Las mujeres van en busca de agua usualmente tres veces por día y acarrean unos 20 litros de agua en calabazas que llevan en cestos atados a la espalda. No es sólo ir en busca de agua lo que lleva tanto tiempo y energía. Además, las mujeres tienen que disponer de más tiempo buscando frutos del bosque y hortalizas silvestres como resultado de la caída de los troncos que destruyen la vegetación baja. Para los hombres, la caza y la recolección de frutos del bosque también se han hecho más problemáticas. Los animales pierden su hábitat y huyen asustados por el ruido de los camiones y las motosierras. Aunque no se cortan con propósitos madereros, los árboles frutales muy antiguos resultan dañados[8].

En aquellos casos en que la extracción maderera tiene algunos beneficios para las comunidades indígenas, éstos no son distribuidos igualmente entre los hombres y las mujeres. En una instancia, la compañía maderera pidió a los aldeanos que les mostraran la ubicación de madera de buena calidad por US$ 1,50 a US$ 3,00 por día. Pero aquellos seleccionados por las comunidades para hacer este trabajo son, sin excepción, hombres. No es que las mujeres no desearan algún dinero extra, pero ellas no conocen el bosque tan bien como los hombres. Aunque los aldeanos no informaron tener ninguna dificultad con que estos hombres asistieran a la extracción maderera, esto deja, no obstante, a las mujeres con una desventaja comparativa, ya que ninguna de ellas se beneficia directamente.[9]

Además del impacto sobre la carga de trabajo y la recolección de los recursos naturales y la distribución de los beneficios, en algunas comunidades la extracción maderera tiene sus efectos en las relaciones de género. Esto se ve ilustrado por el siguiente ejemplo. En algunas de las aldeas la compañía ha reconocido las pérdidas y el daño ocasionado a los bosques de las aldeas y ha ofrecido compensación. Tratar con el mundo exterior y la política general de la aldea son el dominio de los hombres. Entonces, en las reuniones sobre compensación con la compañía maderera, los hombres de la aldea, principalmente los ancianos, los jefes aldeanos y comunales, son los representantes de la aldea. Los hombres quedaron satisfechos con el resultado de esta reunión pero las mujeres hubieran querido una compensación mayor. No obstante, como las mujeres no estaban representadas en la reunión con la compañía, no tuvieron la oportunidad de expresar sus demandas y opiniones. Este incidente causó algunas divisiones entre los hombres y las mujeres de la aldea. Aunque aquí pudiera parecer como que los hombres podrían haber pedido cualquier cosa que desearan, de hecho, debe notarse que ellos también están en una posición muy débil para negociar. Si hubieran rechazado lo que la firma había ofrecido, la aldea hubiera terminado probablemente sin ninguna compensación porque las comunidades indígenas no tienen los medios para presionar a la compañía. No obstante, las divisiones de género entre los miembros comunitarios debilitan sus intentos de controlar la extracción maderera. Un poder igual de toma de decisiones para los hombres y las mujeres podría contribuir a unir a los aldeanos y trabajar en pos de soluciones a los problemas causados por la extracción maderera.

Plantaciones y migración

Desde la década de 1950, el gobierno camboyano ha alentado a los camboyanos de las tierras bajas a asentarse en las provincias del nordeste del país. Se le dio poca consideración al hecho de que estas provincias ya estaban

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Anciana mujer kreung cuidando a su nieto. Comuna Pory, Provincia de Ratanakiri. Foto: Christian Erni

habitadas por pueblos indígenas, para quienes la tierra y los bosques eran la base de su subsistencia. La migración voluntaria[10] se detuvo virtualmente durante el período del Khmer Rouge, para ser continuada a un ritmo particularmente rápido durante los últimos diez años[11]. La escasez de tierras en otras provincias de las tierras bajas es una de las principales razones y la aparente disponibilidad de tierra en Ratanakiri es una de las atracciones de esta provincia. Es más, las comunicaciones han mejorado dramáticamente, facilitando que las personas se trasladen de una parte del país a otra. Los migrantes tienden a asentarse en la capital provincial, Ban Lung, y en torno a la misma y en la ciudad del distrito de Bokeo.

Con la llegada de los inmigrantes a Ratanakiri se establecieron las plantaciones. Las primeras plantaciones surgieron durante la época colonial francesa, siendo el caucho el cultivo principal hasta el período del Khmer Rouge. Igual que con la inmigración, el desarrollo fue muy lento hasta comienzos de 1990 debido a los 30 años de guerra. Después de las elecciones de 1993 y de la apertura del país de sus primeras fronteras al mercado mundial, el número de plantaciones comerciales en Ratanakiri aumentó enormemente. Los principales cultivos plantados en ese momento eran el anacardo (castañas acajú), café, caucho y diversos árboles frutales. La tierra a lo largo de los principales caminos entre la frontera con Vietnam y la provincia de Stung Streng es particularmente solicitada por los dueños de plantaciones.

Problemas con la mercantilización de la tierra

Los pueblos indígenas montañeses de Ratanakiri tienen un sistema consuetudinario de tenencia de la tierra, basado en las necesidades reales de la aldea. Una aldea, en su conjunto, tiene derechos de uso a un área y, tradicionalmente, no existe la propiedad individual de la tierra. Si personas recién llegadas quieren limpiar una parcela de tierra para cultivo, deben radicarse en la aldea. Dentro de la comunidad, la tierra es entonces dividida entre todas las familias de acuerdo a sus necesidades. Los límites aldeanos son generalmente marcados por ríos, caminos, arroyos, colinas y montañas y son sólo especificados cuando dos aldeas usan tierras demasiado próximas. En caso necesario, los ancianos de las aldeas concernientes se reunirán a discutir y establecer los límites de cada una. Como las comunidades indígenas sólo reconocen el derecho de uso, no los derechos de propiedad de un individuo sobre la tierra, ésta no puede ser vendida.[12]

La migración y la demanda de tierra para cultivos comerciales ha conducido a que la tierra se convierta en una mercancía con un valor monetario. En torno a Ban Lung, Bokeo y a lo largo del camino a Konmun, la tierra se ha convertido en un bien escaso y muy disputado. El gobierno y las personas externas han comprado o incluso usurpado tierras de aldeas locales. Esto condujo a una creciente inseguridad sobre el acceso y control de la tierra consuetudinaria de las comunidades indígenas. Debido a este sentimiento de inseguridad, los mismos aldeanos comenzaron a vender partes de su tierra. Ellos creen que si no venden ellos mismos la tierra, alguien vendrá y la tomará. Aunque, tradicionalmente, la tierra no puede ser vendida, se están haciendo más comunes las instancias de ventas de tierra a compañías, al gobierno o a migrantes que vienen de las tierras bajas de Camboya. Esto sucede frecuentemente sin consultar con los ancianos de la aldea, lo cual está forzando a un cambio gradual en el sistema de tenencia consuetudinaria de la tierra.

Debido a estos cambios, las comunidades indígenas de las tierras altas ahora tienen que encarar la venta de tierra aldeana. El rol de las mujeres en la venta de la tierra sigue sin quedar claro. En dos aldeas

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donde se está vendiendo la tierra, pareciera que la decisión de vender la tierra fue tomada por toda la familia. Sin embargo, los hombres tomaron la decisión final. Un hombre dijo que no habría vendido tierra familiar si su esposa no hubiera estado de acuerdo. Parece que la toma de decisiones es bastante equitativa en lo relativo a este asunto. No obstante, debería tomarse en consideración que un dicho favorito de las mujeres de la aldea es *"taam pedaai"*, lo cual significa que "seguirán a su marido" en lo que él quiera o decida.[13]

Problemas agrícolas

La usurpación y la venta de tierras conduce también a crecientes problemas agrícolas para muchas aldeas a lo largo de los caminos principales y en torno a los centros de los distritos. Su sistema agrícola de cultivos swidden requiere de 6 a 8 hectáreas por familia[14] para mantener un ciclo suficiente de barbecho para sus campos. Un área menor significa que el período de barbecho se acorta, lo cual afecta a su vez negativamente la fertilidad del suelo. Los problemas más importantes que enfrentan los aldeanos en estas áreas están directamente relacionados con la presión de la tierra: la creciente dificultad para encontrar tierra de buena calidad para sus campos swidden, la disminución de las cosechas de arroz y el aumento de las pestes de las yerbas.

La tendencia hacia períodos más cortos de rotación y, por lo tanto, las crecientes cantidades de yerbas, conducen a un aumento de la carga de trabajo para la mujer, ya que ellas son fundamentalmente responsables del desyerbe. En una de las aldeas objeto del estudio, las yerbas no eran un problema hace veinte años. En ese entonces, ellas tenían que desyerbar solamente dos veces al año pero ahora es necesario hacerlo tres veces. Los aldeanos relacionaron el aumento de las yerbas a la disminución de árboles maduros. La ausencia de esos árboles conduce a menos ceniza después de la quema y una resultante degradación de la fertilidad del suelo. Los períodos más cortos de rotación significan para los hombres que ellos tienen que cortar árboles y preparar los suelos más frecuentemente. En vez de hacerlo cada 3 o 4 años, en algunas aldeas ahora tienen que hacerlo cada uno o dos años. La agricultura de montaña exige mucho trabajo, pero la degradación ambiental aumenta aun más la presión sobre el trabajo[15].

Como el trabajo constituye un esfuerzo tan importante, los problemas de la agricultura son más sentidos en familias que carecen de miembros masculinos. La mayoría de las mujeres viudas, divorciadas o separadas viven con sus parientes, como sus hijos o sus padres. Estas mujeres no cultivan arroz de montaña por sí mismas. Si las viudas pueden apoyarse en el trabajo de sus parientes masculinos, están en una situación similar a las familias normales, pero sólo una minoría de las viudas tiene acceso a fuerza de trabajo masculina. Para estas mujeres es muy difícil tratar de sustentarse. El tamaño de los campos swidden de estas viudas es usualmente alrededor de la mitad de los de las otras familias: 0,5 hectáreas en vez de las usuales 1 o 1,5 hectáreas. Además, dependen de campos que son abandonados por otras personas. Estos campos swidden fueron abandonados debido a la disminución de la fertilidad del suelo, el aumento de yerbas y la disminución de las cosechas. Las viudas optan por usar estas tierras porque carecen de acceso a la fuerza de trabajo masculina para cortar árboles. Sin embargo, el cultivo de arroz u hortalizas en estos campos no conducirá, obviamente, a buenas cosechas. Como las viudas ya cultivan campos que no tienen suelos muy fértiles, un decrecimiento general de la fertilidad del suelo debido a una mayor presión sobre la tierra agravará aun más sus problemas[16].

Construcción de represas

Las represas hidroeléctricas también han causado problemas a los pueblos indígenas de Ratanakiri. Se construyó un embalse que desplazó a dos aldeas de sus tierras tradicionales, incluyendo valiosos arrozales, para proveer el suministro eléctrico de Bang Lung. Esta represa está ubicada cerca de la capital del distrito de O'Chum y cerca de la ciudad de Bang Lung. La población es ya alta en esta área debido a la inmigración y está creciendo más rápidamente que en cualquier otro lugar de la provincia[17]. Por lo tanto, los problemas relativos a la presión sobre la tierra ya descritos en los párrafos previos, son severamente sentidos en esta área.

Otra importante represa que hace impacto sobre las vidas de los pueblos de la montaña en Ratanakiri es la represa de las cascadas Yali en el río Sesan, en Vietnam. La represa está construida en la frontera con Ratanakiri y está causando un suministro irregular de agua en los distritos ubicados a lo largo del río. Las inundaciones ocurren no solamente en la estación de lluvias sino también en la estación seca, destruyendo las cosechas y haciendo más difícil y peligrosa la pesca. En un estudio del Departamento de Pesca de Ratanakiri, se informó que las mujeres indígenas se sentían más afectadas por la construcción de la represa que los hombres. Esto se debe principalmente a la pérdida de independencia y autosuficiencia. Las mujeres solían pescar, tamizar oro, recoger hortalizas y otros productos como huevos de aves y reptiles en las riberas del río. También solían cruzar por sí mismas el río. El flujo irregular de las aguas hace que sea más difícil para las mujeres realizar estas actividades y esto las hace sentir más dependientes de los hombres que antes[18].

Además, la regulación del agua altera los ecosistemas ictiológicos. Esto ha causado una disminución de la población ictícola general en el Sesan[19]. Como consecuencia, las comunidades montañesas asentadas a lo largo de este río en Ratanakiri ya han informado sobre problemas de dieta y de ingresos. La mayoría de estas aldeas son dependientes de la pesca como su principal fuente de proteínas y para algunas es una importante fuente de ingreso, ya que la venden en los mercados locales. La decreciente población de peces significa un aumento de la carga de trabajo tanto para hombres como para mujeres porque tendrán que pasar más tiempo pescando las cantidades que necesitan.

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Otro importante impacto es el empeoramiento de la calidad de las aguas. Como no se había limpiado adecuadamente la vegetación del embalse antes de su inundación (debido a los altos costos), los procesos de putrefacción están causando que las algas contaminen el agua. Esto no sólo reduce aun más la población de peces sino que también conduce a peligros sanitarios directos para los seres humanos. Ya existen informes de que en las aldeas a lo largo del río las enfermedades y las muertes han aumentado desde la construcción de la represa[20]. Como la responsabilidad de las mujeres es cuidar a los miembros familiares enfermos, el deterioro de la calidad del agua no sólo va en detrimento de su propia salud sino que implica también una carga extra para ellas. Además, debido a que las mujeres son las que recogen la mayor parte del agua, tienen que buscar fuentes de agua más lejanas a la aldea si ya no pueden usar el río.

Estrategias para hacer frente a estos problemas

Enfrentar a un medio ambiente rápidamente cambiante debido a la extracción maderera, el establecimiento de plantaciones y la construcción de represas requiere cambios y ajustes en los sistemas tradicionales de subsistencia de los pueblos indígenas de las tierras altas. Para muchos montañeses, las actividades generadoras de ingreso monetario son una de las formas más importantes para enfrentar un entorno cambiante. Por ejemplo, cuando una familia carece de arroz debido a las cosechas menores causadas por la presión sobre la tierra, el dinero les posibilitará comprar arroz en el mercado. Aunque esta estrategia puede resolver algunos de los problemas que enfrentan a corto plazo, también causa una presión aun mayor sobre los ya magros, y cada vez más escasos, recursos. Además, en adición a la generación de ingresos, se están explorando varias formas diferentes para alcanzar la seguridad alimenticia debido a la disminución de las cosechas en los campos swidden[21]. El cultivo de arroz de cáscara y los cultivos comerciales son algunos ejemplos de esas estrategias.

Comercialización de los recursos naturales

Mientras que antes los productos forestales eran usados solamente como suplemento de la dieta, para la construcción y para el trueque ocasional por productos de las tierras bajas, algunos de los aldeanos indígenas se han volcado ahora a usar al bosque como una fuente de ingresos. No sólo los animales de caza, la resina, los peces y ciertos tipos de frutas sino también los árboles tienen gran demanda y son valiosos. El cambio de visión con respecto a los productos del bosque está demostrado por la siguiente declaración de un hombre *tampuan* en la aldea de Malik, *"antes, soliamos huir cuando veíamos una cobra, ahora tratamos de cazar todas las que podamos porque valen mucho dinero"*[22]. Otro ejemplo de manejo no sustentable de recursos debido al hecho de que el área ahora está siendo considerada solamente como una fuente de dinero son ciertos árboles frutales. Los árboles de nueces de malva, en particular, ahora son simplemente cortados con el propósito de la recolección. Las personas quieren recoger tantos frutos como puedan, así que en vez de treparse a los árboles y recogerlos, cortan el árbol entero[23]. El agotamiento de los recursos debido a las cambiantes circunstancias se ve aun más agravado por tales mecanismos de enfrentamiento a los problemas.[24] Como las cosechas de los campos swidden decaen, el bosque se convierte cada vez más en una importante fuente suplementaria de alimentos. Los tubérculos, los frutos del bosque y las hortalizas son esenciales en tiempos de escasez de arroz. Como las plantaciones y la extracción maderera prevalecen cada vez más y la explotación de los productos del bosque es intensificada por razones comerciales, esta estrategia para lograr una seguridad alimenticia pronto ya no será una solución para algunas comunidades.

Cultivos comerciales

Otra forma de adaptarse a los cambios es mediante el cultivo de especies comerciales. Algunas comunidades indígenas desarrollaron su propio sistema de cultivos comerciales ya en los años 60, cultivando café en los bosques que rodeaban su aldea. Sin embargo, la mayoría de las aldeas recién hace muy poco comenzaron a cultivar especies comerciales, con o sin la asistencia de proyectos de desarrollo o del Departamento Provincial de Agricultura. Los cultivos comerciales como el café, las nueces de anacardo y una variedad de otros árboles frutales aparecen ahora en los campos swidden de muchos agricultores de la montaña. En una aldea, los agricultores dijeron que tuvieron que seguir las demandas del mercado. El algodón u otros cultivos tradicionales no son demandados, pero los frutos, las nueces de anacardo y el café sí lo son, por lo que los agricultores fueron de la opinión de que tenían que adaptar sus pautas de cultivo en forma acorde.

La adaptación de su sistema agrícola tradicional no sólo conduce a un cambio de los cultivos sino también a cambios en la división tradicional de tareas y responsabilidades entre los hombres y las mujeres. Los hombres están ligeramente más dedicados a la producción de cultivos comerciales que a la agricultura tradicional de subsistencia. Aunque los hombres y las mujeres plantan y cosechan los cultivos comerciales juntos, el desyerbe es principalmente tarea de las mujeres. Y mientras que las mujeres, con los cultivos tradicionales, tenían un papel importante en la selección de semillas, ahora son los hombres quienes lo hacen para los cultivos comerciales. Además, los hombres tienden a elegir qué tipo de cultivo comercial plantarán. Los agricultores explican esto diciendo que los hombres tienen más conocimiento sobre cultivos comerciales porque están en contacto con los intermediarios. Estos intermediarios proveen información a los aldeanos sobre qué tipo de productos interesan al mercado y cuáles productos son los más rentables. Sin embargo, esto no significa que las mujeres no participen para nada en el proceso de selección, ya que los hombres discuten sus puntos de vista con sus esposas[25]. Aunque son principalmente los hom-

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bres los que venden los cultivos comerciales, los beneficios son para el bien de toda la familia. Además, las mujeres todavía participan en la decisión sobre el precio de los productos. Antes de vender los productos, el esposo y la esposa discuten cuántos kilogramos desearían vender y a qué precio.

Aunque financieramente la producción de cultivos comerciales no parece tener un impacto adverso sobre las relaciones de género, el abismo de conocimiento entre los hombres y las mujeres con respecto a la agricultura de cultivos comerciales conduce a una disminución del poder de toma de decisiones de las mujeres en la producción agrícola. Esto tiene implicaciones para las familias encabezadas por mujeres ya que ellas no sólo carecen de acceso a la fuerza de trabajo masculina sino que, en el caso de los cultivos comerciales, carecen también del conocimiento sobre este tipo de cultivos.

Cultivo de arrozales

El cultivo de arrozales es un método común utilizado por las comunidades indígenas para adaptarse a su cambiante entorno natural y social. Hay muchas razones para que las familias se dediquen al cultivo de arrozales. Se dice que las cosechas por hectárea son más elevadas que la de los campos swidden, aunque esto es discutido. Lo que es más importante es que es posible el uso permanente del mismo campo. Por lo tanto, en respuesta a las decrecientes cosechas de los swidden, algunas familias comenzaron a crear arrozales. Otra razón para cultivar arroz es porque puede ser vendido a precios más elevados que el arroz de montaña. Igual que en el cultivo de arroz de montaña, los hombres y las mujeres tienen diferentes responsabilidades en la producción de arroz húmedo. Los hombres construyen y mantienen los diques y canales y, aunque las mujeres son bien capaces de arar los arrozales, se lo considera generalmente como una tarea de hombres. Las mujeres participan más en la plantación y la cosecha del arroz.

El cultivo de arroz húmedo acarrea cambios significantes a la sociedad indígena de las montañas. Los arrozales no son considerados como propiedad comunal como los campos swidden sino más bien como propiedad individual. Bourdier[26] argumenta que las familias desearían mantener los arrozales en sus propias manos debido a la inversión de trabajo y capital. El lleva este argumento aun más lejos al decir que los padres quieren traspasar la tierra a sus hijos. La matrilinealidad y la matrilocalidad son, para unas cuantas tribus, una de las características más importantes. Los derechos hereditarios son organizados a través de la familia de la madre. De ser una sociedad matrilineal y matrilocal, las comunidades indígenas que están altamente comprometidas en el cultivo del arroz húmedo podrían transformarse en patrilineales y patrilocales. Pero hasta el momento, no se han encontrado aun evidencias de tal cambio. En aldeas donde el cultivo del arroz húmedo es cada vez más importante, el acceso y el control sobre esta tierra para los hombres y las mujeres no ha cambiado desde cuando todavía estaban dedicados a la agricultura swidden. Los derechos tradicionales sobre la tierra en caso de muerte o divorcio todavía permanecen tal como eran antes.

Tanto en las sociedades *brou*, que son organizadas patrilinealmente, como en la sociedad *jarai*, que es matrilineal, las mujeres obtienen el pleno control sobre el arrozal de la familia si el esposo decide dejar a su esposa o muere. En las aldeas jarai, esto es incluso así cuando la esposa decide divorciarse. Una mujer jarai siempre se quedaría con el arrozal porque ella tiene que cuidar de los niños. Por lo tanto, la dedicación al cultivo de arrozales no dará necesariamente a las mujeres menos acceso y control sobre la tierra.[27] Además, los aldeanos informaron que la creación de arrozales tiene un efecto negativo sobre el sistema natural de aguas de la tierra de la aldea. Las tierras húmedas se secan y son también transformadas en arrozales. Sin embargo, hasta ahora esto no ha conducido a escasez de agua.

A pesar del impacto negativo informado del cultivo de arrozales, tantos los hombres como las mujeres consideran el cultivo de arroz húmedo como más fácil que el cultivo de arroz de montaña, si tienen el equipo necesario, como arados, rastros y búfalos[28]. Insume menos tiempo y energía porque ya no es necesario cortar árboles y desyerbar, reduciendo así la carga de trabajo del hombre y de la mujer. Una desventaja de este sistema de cultivar arroz es que no pueden cultivarse hortalizas y frutos en las mismas parcelas, como en el caso de los campos swidden. Algunas aldeas tienen huertas caseras separadas, pero otras son completamente dependientes del bosque para suministrarles las necesarias hortalizas y frutos. Esas aldeas enfrentarán problemas de dieta si los productos del bosque siguen siendo agotados al ritmo actual.

Conclusión

El impacto de los problemas ambientales sobre las comunidades indígenas tal como prevalecen en Ratanakiri hoy, son sentidos por hombres y mujeres. En general, los hombres y las mujeres enfrentan un aumento de su carga laboral. Necesitan utilizar más tiempo en sus actividades agrícolas, y en la recolección de productos del bosque y otros recursos naturales para lograr los mismos resultados. Sin embargo, las mujeres enfrentan una carga laboral más elevada que los hombres debido a la combinación de actividades dentro y fuera del hogar. Las mujeres no tienen posibilidad de utilizar más tiempo en sus tareas, ya que su carga laboral ya las pone en una situación más difícil comparada con la de los hombres. El tiempo necesario para la educación de las niñas y las mujeres y el tiempo que las mujeres utilizan en la toma de decisiones de la aldea disminuirán aun más debido a los problemas ambientales.

Las familias de las viudas sin acceso a una suficiente fuerza laboral masculina constituyen el grupo de personas más vulnerable de las aldeas de las tierras altas a los cambios resultantes del agotamiento de los recursos naturales. Mientras que otras familias pueden optar por diversificar su sistema de producción agrícola mediante el cultivo de arrozales o el cultivo de especies comerciales para

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compensar por las cosechas de menor resultado y los suelos menos fértiles, las viudas no lo pueden hacer tan fácilmente. Ellas necesitan de la contribución de la mano de obra masculina y de su conocimiento tanto para iniciar el cultivo de arrozales como de los cultivos comerciales. Las familias de viudas son, por lo tanto, incluso más dependientes de los productos del bosque para su supervivencia que las otras.

Los problemas del medio ambiente encarados en este artículo no son de fácil solución. Algunas organizaciones de la provincia han comenzado actividades como elevar la consciencia sobre los temas de derechos a la tierra, silvicultura comunitaria, técnicas de conservación del suelo y el agua y agro-silvicultura. Es esencial dar a las mujeres la oportunidad de participar activamente en la planificación e implementación de tales proyectos, debido a los diferentes problemas que ellas enfrentan con respecto al impacto de la degradación ambiental. Sus necesidades y opiniones tendrán que ser incorporadas a los proyectos de desarrollo para impedir aun más impactos negativos sobre sus vidas causados por las condiciones rápidamente cambiantes en esta provincia.

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Notas

1 Berg 1999

2 Emerson 1997, p. 10-11

3 En este artículo, las actividades reproductivas son definidas como todas las actividades necesarias para mantener y reproducir la fuerza de trabajo, como tener hijos y cuidarlos, reparar y mantener las casas, limpiar, cocinar, recoger leña, ir por agua, etc. Las actividades productivas son definidas como todas las actividades que generarán eventualmente un ingreso, ya sea en dinero o en especie, como las actividades agrícolas, el producto del comercio, el trabajo asalariado, etc.

4 Berg 1998b, p. 13-15

5 Esto fue observado durante reuniones celebradas entre personal de proyectos y aldeanos. Podría ser que cuando los aldeanos celebran una reunión por su cuenta, sin extraños, las mujeres hablaran mucho más. Sin embargo, es sabido que en algunas aldeas las mujeres no pueden ni siquiera asistir a las reuniones de la aldea. Al mismo tiempo, cuanto más anciana es la persona, más estatus y poder adquiere, esto es cierto tanto para las mujeres como para los hombres.

6 Berg 1998b

7 Harris 1987, p. 254-255

8 Berg 2000, p. 22-23

9 Ibid., p. 22-23

10 Algunos camboyanos de las tierras bajas fueron forzados a asentarse y trabajar en Ratanakiri bajo el régimen de Pol Pot. La cantidad total de camboyanos que llegaron a Ratanakiri bajo su régimen es desconocida.

11 McAndrew 2000, p. 4

12 Berg 2000, p. 10

13 Berg 2000, p. 34-35

14 Colm 1996, p. 10

15 Berg 2000, p. 25-26

16 Ibid., p. 28-30

17 McAndrew 2000, p. 4-5

18 Departamento de Pesca 2000 p. 32-35

19 Terra 2000

20 Departamento de Pesca 2000, Berg 2000

21 La adaptación a los efectos adversos de la represa de las cascadas Yali ha tenido como resultado que las familias de etnia lao se vuelquen a la agricultura swidden en las montañas en vez de al cultivo de arroz (Departamento de Pesca 2000, p. 31)

22 John 2000b

23 Emerson 1997, Lievoux 1999, Berg 2000

24 Berg 2000

25 John 2000.

26 Bourdier 1995

27 Berg 1998b, p. 11 & 21.

28 Ibid. 1998b, p. 12; Kelkar et al. 1997, p. 43-45

Conny van den Berg *tiene una Maestría en Estudios sobre el Desarrollo. Ella ha trabajado en Ratanakiri, Camboya, desde 1997. Desarrolló y manejó un proyecto sobre la reducción de la carga laboral de las mujeres de las tierras altas para el Proyecto para los Pueblos de las Tierras Altas/CARERE. En 1999-2000 realizó un estudio para CARERE sobre el impacto de la degradación de los recursos naturales sobre las mujeres y hombres indígenas. Actualmente está dedicada a la investigación sobre el impacto de los camboyanos de las tierras bajas que migran a Ratanakiri sobre los pueblos indígenas de las tierras altas.* ❑

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LOS DAO Y LOS CONFLICTOS SOBRE LOS RECURSOS EN EL PARQUE NACIONAL BA VI

Por Tran Thi Lanh

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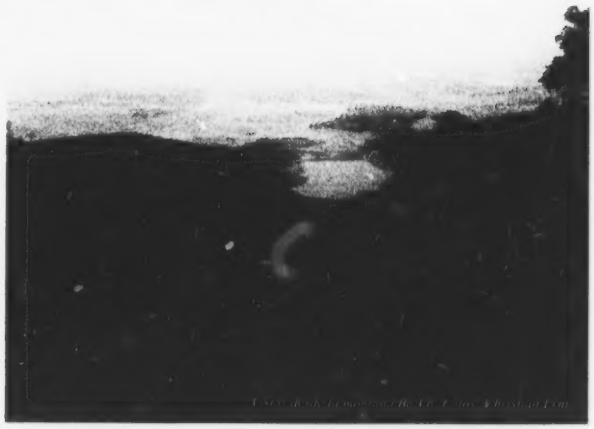

"Quiero cultivar especies locales", dice Hai sobre la tierra forestal que le ha sido contratada. *"No quiero cultivar lo que el Parque dice"*, continúa diciendo, mirando fijamente al líder de la aldea, el Sr. Bay. Hay y Bay son aldeanos de Yen Son, ubicada dentro de la zona de amortiguamiento del Parque Nacional Ba Vi. Bay mira a Hai, pero no dice nada. Sabe que Hai está siendo empecinado. Y ambos hombres saben que no tienen otra opción que la de seguir el plan sobre uso de la tierra elaborado por el Parque Nacional. Después de años de espera, Yen Son ha obtenido unas 300 hectáreas de tierras en la zona de amortiguación y los aldeanos cultivaran principalmente té y árboles frutales. En circunstancias normales, los agricultores como Hai y Bay podrían estar bastante satisfechos de manejar una parcela de tierra forestal. Pero Ba Vi no es un lugar normal y los aldeanos no están contentos.

Conflictos sobre el uso de la tierra

Las causas de las crisis en el manejo de los recursos naturales en Vietnam son diversas. Entre ellas se incluye el crecimiento demográfico; los programas de reasentamiento del gobierno; migración interna hacia las tierras altas; deforestación causada por los madereros; cultivo industrial de café y otro cultivos comerciales; y la construcción de represas, lugares turísticos y otros proyectos de infraestructura.

En particular, las relaciones entre las comunidades minoritarias y los elementos externos son fuente de muchos problemas. En los casos donde están implicadas agencias gubernamentales, existen dos fuentes posibles de conflicto: o bien las políticas no están bien pensadas, para empezar, o las personas que implementan las políticas tienen un problema de actitud. En Vietnam han ocurrido ambas situaciones.

Ba Vi es un buen ejemplo. Ba Vi es una pequeña área montañosa que está ubicada a solo 75 km. de la capital, Hanoi. La creación de un parque nacional fue el catalizador de una serie de conflictos en las aldeas *dao* cercanas – Yen Son y Hop Nhat. La política gubernamental no es enteramente adecuada para resolver los conflictos pero, lo que es más importante, las agencias del gobierno han ignorado problemas o han perseguido sus propios intereses, con poca consideración por los pobres.

Por ejemplo, la aldea Yen Son perdió 19,5 hectáreas de tierra en 1988 cuando el distrito de Ba Vi las concedió al director de la compañía turística Ao Vua, Nguyen Manh Than. Hasta el día de hoy, la compañía no ha pagado ningún impuesto por la tierra. El distrito no otorgó ninguna compensación a los aldeanos. Luego, el año pasado, el Parque Nacional Ba Vi otorgó a la misma compañía 107 hectáreas de tierra que habían sido antes adjudicadas a los aldeanos. La tierra está destinada a la construcción de facilidades turísticas y generará ingresos significativos para la compañía, ninguno de los cuales serán retornados a los aldeanos.

El pueblo dao de Ba Vi

Los dao (se pronuncia "zao") son uno de los numerosos grupos étnicos minoritarios de Vietnam. Suman más de 700.000 individuos esparcidos en toda la parte septentrional del país, habiéndose trasladado al sur de su territorio ancestral en China a partes de Vietnam, Laos y Tailandia (donde son llamados *"mien"*).

Los dao tienen un cultura compleja, que registran en grandes libros escritos en caracteres chinos. Tienen su propia lengua y muchas características culturales únicas. Como regla, los dao tienen una relación muy estrecha con el bosque. Las mujeres, en particular, tienen amplios conocimientos de las plantas medicinales que provienen del bosque.

El pueblo dao ha vivido en la montaña Ba Vi desde comienzos del siglo veinte. Vivían originalmente en cuevas y a lo largo de corrientes de agua en las cumbres más elevadas de los tres picos de Ba Vi. En 1959, el gobierno reasentó a los dao en la base de la montaña, a 100 metros sobre el nivel del mar. El proceso de reasentamiento tomó tres años e involucró a unas 130 personas. En 1963, los dao recibieron 18 hectáreas de arrozales húmedos en dos

aldeas: ocho hectáreas en la aldea de Yen Son y 10 hectáreas en Hop Nhat. Las dos aldeas están separadas por siete kilómetros.

Ahora hay 1.700 personas viviendo en las dos aldeas, cultivando todavía las mismas 18 hectáreas de tierra. En Yen Son, hay 164 familias. Obviamente, los aldeanos no tienen tierra suficiente para sustentarse. El principal resultado es que los aldeanos han cortado árboles para venderlos por dinero y también han vendido su fuerza de trabajo. Las mujeres venden ahora también sus medicinas tradicionales – antiguamente un aspecto sagrado de la cultura dao. Como los niveles de vida son todavía bajos, han comenzado a aparecer problemas sociales como el abuso del alcohol y la tahurería.

Consciente de estos problemas, en 1990 un programa gubernamental ofreció a las dos aldeas 700 hectáreas para plantar eucaliptos y 300 hectáreas para plantar acacias, pagando a los agricultores 320.000 *dong* por hectárea (unos US$50). Los árboles fueron plantados entre 100 y 250 metros sobre el nivel del mar y el objetivo original era cortar los árboles después de siete años.

Sin embargo, han pasado diez años y recién ahora se están cortando los árboles. Ningún otro cultivo puede crecer bajo los tóxicos eucaliptos, incluyendo las plantas medicinales. Los aldeanos sabían que habría problemas con el árbol, pero el programa del gobierno PAM (Programme d'Alimentation Mondial, financiado por las Naciones Unidas) eligió al eucalipto porque crece rápidamente y puede ser usado para hacer papel.

En 1991, fue creado el Parque Nacional Ba Vi y surgieron muchos problemas como resultado de la actitud de la junta administrativa del parque y debido a cómo han implementado las políticas. El Parque ha descuidado las inversiones substanciales en los caminos, oficinas, casas de huéspedes y otros servicios turísticos. Pero recién hace poco los aldeanos recibieron el permiso para cortar eucaliptos, los cuales son ahora parte del bosque para "uso particular" del Parque Nacional, el cual puede ser usado solamente para una serie limitada de propósitos y sólo con el consentimiento del Parque.

No existe una política clara para el uso de la tierra del parque por parte de la comunidad dao, a pesar de los contratos que han firmado para cultivar y cortar eucaliptos. Además, ninguna de las 43.000 personas que viven en las siete comunas que rodean a Ba Vi tienen derechos de uso sobre la tierra del Parque para "uso particular".

Los agricultores enfurecieron cuando se les impidió por primera vez cortar el eucalipto, especialmente porque no podían cultivar ningún otro cultivo bajo los árboles tóxicos. Algunos agricultores como Hai quieren elegir sus propios cultivos de árboles en tierras por sobre los 250 m. sobre el nivel del mar. El Parque no respondió inicialmente a las solicitudes de permisos para cortar los árboles u obtener acceso a más tierra de amortiguamiento. Los aldeanos dicen que la junta administrativa del Parque estaba preocupada de que los dao vendieran la tierra si se les daba certificados de derechos al uso de la tierra, por lo que han limitado la adjudicación a contratos (*khoan*) que no otorgan los "cinco derechos" que otorgaría un certificado de uso de la tierra (los derechos a vender, arrendar, transferir, heredar e hipotecar la tierra).

Hasta que los contratos sean emitidos y los agricultores dao de Yen Son puedan comenzar a plantar árboles, su situación seguirá empeorando. Los dao han respondido a la prohibición del acceso al bosque entrando al Parque de noche para cazar animales, cortar árboles y recolectar hierbas para hacer medicinas. Saben que pueden ir a prisión si son capturados. Esto hace que los dao se sientan como ladrones y criminales por hacer lo que siempre han hecho tradicionalmente: su misma cultura se ha convertido en algo "contra la ley".

Ninguna agencia del gobierno ha respondido a los problemas de Ba Vi. Los dao no han recibido ninguna ayuda del gobierno del distrito pues el distrito no tiene autoridad sobre el Parque. El bienestar de la comunidad dao es también responsabilidad del Consejo para Minorías Étnicas y Áreas Montañosas (CEMMA), pero no ha habido ninguna ayuda de las secciones de distrito o provinciales de este organismo gubernamental.

La junta administrativa del Parque, el gobierno del distrito y el CEMMA son organizaciones que hacen que parezca que el estado está respondiendo a la necesidad de desarrollo de la sociedad. Pero en la práctica, estas necesidades no son cumplidas. La existencia de demasiadas organizaciones para un pequeño grupo de personas significa que ninguna organización siente la necesidad de actuar. Demasiada burocracia detiene el surgimiento de cualquier política clara.

TEW y la comunidad dao

La aldea de Yen Son fue la primera área objeto del trabajo de campo de TEW – pues la aldea era el lugar de la investigación de la tesis del director Tran Thi Lanh. El objetivo de TEW ha sido fortalecer a la comunidad dao para que puedan vivir permanentemente en la zona de amortiguamiento del Parque Nacional y para que puedan participar plenamente en el manejo del Parque, ya sea como guías turísticos o como un ejemplo vivo para los investigadores y turistas que quieran aprender sobre la cultura tradicional y la protección de los recursos naturales.

Para alcanzar esta meta, TEW estableció una serie de modelos piloto con los agricultores dao de la aldea Yen Son. Comenzando en 1992, TEW ayudó a formar a un grupo de estudio de medicina herboristica con 11 curanderas de la aldea de edad avanzada.

Estas mujeres participaron en tres viajes de estudio para aprender más sobre la medicina herborística y poner su ya vasta experiencia en perspectiva. Después de estos viajes de estudio, las 11 mujeres retornaron a Ba Vi y participaron en un curso de capacitación de capacitadores asistido por dos doctores renombrados en medicina herborística. Las mujeres fueron al bosque junto con los doctores para identificar todos los árboles y plantas que usaban con propósitos medicinales. Las 11 mujeres dijeron que necesitaban

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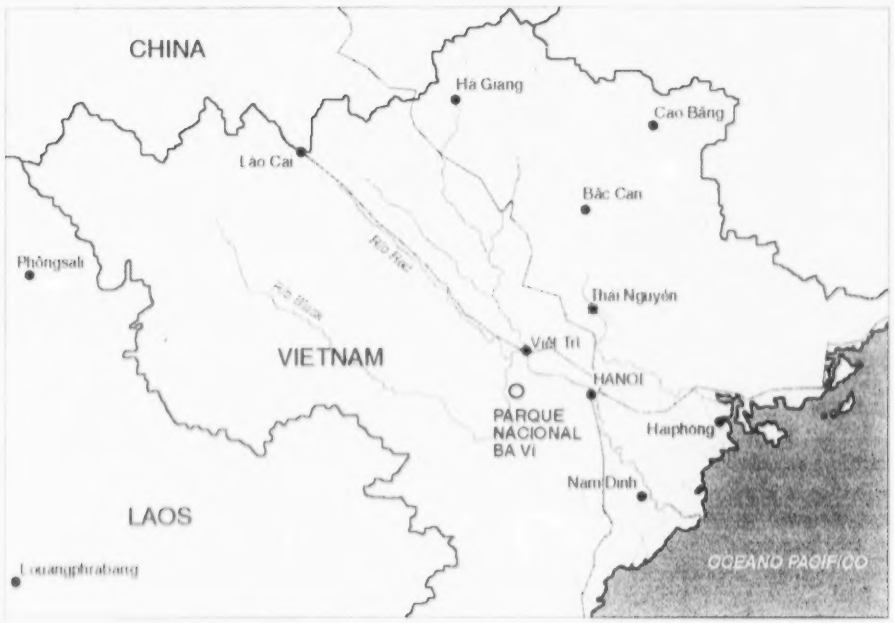

Mujeres dao durante un taller de capacitación organizado por TEW. Foto: TEW

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que el Parque Nacional les permitiera entrar en el bosque para recolectar los ingredientes medicinales.

Otro proyecto piloto que nació de la investigación original de Lanh y un PRA de 1992 fue una huerta modelo basado en torno a siete agricultores que fueron reasentados por la oficina de CEMMA del distrito cuando sus hogares originales en Ao Vua (en el Parque Nacional Ba Vi) fueron convertidos en una zona turística.

Los agricultores no estaban satisfechos con ser reasentados y muchos querían retornar al área donde vivían antiguamente. TEW comenzó a trabajar con un agricultor clave, Duong Tien Nhan, quien demostró una gran habilidad para aprender rápidamente. Este agricultor fue llevado a visitar varias comunidades minoritarias diferentes, cuyos integrantes vivían en áreas forestadas y tenían un buen conocimiento de la agricultura rotativa sustentable en tierras de ladera.

El Sr. Nhan participó también en varios cursos de capacitación en su tierra, que fueron facilitados por el director de TEW en 1992. Después de dos años, su huerta y su sistema económico doméstico fueron un modelo para los otros agricultores de la aldea y TEW comenzó a traer grupos de estudio de otras áreas para visitar su casa – incluyendo a una delegación de Laos en 1999.

Después de que el trabajo en esta huerta modelo estaba bien encaminado, TEW realizó otra vez un PRA, en 1996, para registrar problemas comunitarios. Los agricultores relataron a TEW que su principal interés era obtener derechos al uso de la tierra para tierras montañosas hasta 250 m. sobre el nivel del mar – parte de la zona para "uso particular" del Parque Nacional.

Desde entonces, TEW ha intentado ayudar a la comunidad a obtener derechos formales a la tierra. Este es el paso más importante para el fortalecimiento de los agricultores para que puedan jugar un rol activo en el Parque. No obstante, este esfuerzo ha fracasado en gran medida porque es claro que la administración del Parque no desea que un fuerte rol comunitario impida sus planes.

El Parque ha continuado poniendo obstáculos sobre el tema de los derechos al uso de la tierra y recién ahora algunos aldeanos han recibido sus contratos. Estos contratos dejan las decisiones sobre el uso de la tierra firmemente en manos del Parque Nacional, el cual quiere cultivar variedades de cultivos comerciales que algunos de los aldeanos no desean cultivar.

Los dao y la política del gobierno

Los problemas de Ba Vi siguen muchas pautas comunes que pueden verse en los conflictos sobre recursos en los que se ven involucrados las pequeñas comunidades y el estado u otras instituciones grandes y poderosas. Frente a las nuevas reglas, los agricultores siguen usualmente sus hábitos y costumbres tradicionales. Si estas costumbres contradicen la ley, ésta es frecuentemente ignorada. Esto significa que los agricultores quebrantarán generalmente la ley para mantener sus valores – los cuales son una parte integral de su cultura. Si elementos externos presionan a los agricultores a cambiar su cultura, esto puede resultar en un verdadero conflicto.

Esto no ha ocurrido muy frecuentemente en Vietnam, pero en la medida en que aumenta la presión sobre los recursos, el estado debe estar preparado para solucionar conflictos entre la ley y las culturas indígenas. Las leyes estatales deben respetar que las leyes tradicionales comunitarias son muy antiguas y estables y, por lo tanto, deben ser respetadas.

La situación en Ba Vi es un buen ejemplo de cuán difícil es para los gobiernos centrales resolver los conflictos a nivel de base. Incluso los gobiernos provinciales y de los distritos han sido incapaces de actuar en forma constructiva. En general, parece que la junta administrativa del Parque no ha incluido a los dao en sus planes de desarrollo.

Para compensar la pérdida de tierras, los dao se trasladan ahora a otras áreas para recolectar hierbas medicinales, las cuales procesan y venden a personas externas. El conocimiento de la medicina herborística, pasado de madre a hija, es uno de los aspectos más distintivos e importantes de la cultural dao, pero ahora está siendo perjudicado por la presión para comercializar las hierbas.

Tradicionalmente, sólo las mujeres recolectaban hierbas medicinales, pero ahora los hombres participan también en el comercio. La comunidad recibe una buena cantidad de ingresos de la venta de hierbas – tanto que algunos dao se han aprovechado de las personas externas y vendieron medicinas inferiores o falsas a cambio de dinero. No les preocupa la pérdida de prestigio que puede resultar de esta práctica o el hecho de que un aspecto antes sagrado de su cultura está siendo liquidado por dinero. La historia indica que si los dao continúan perdiendo su cultura, los problemas sociales no harán más que aumentar.

Adjudicación de tierras en Vietnam

Una importante cuestión para evaluar la situación de Ba Vi es si la comunidad y TEW tienen alguna opción distinta a la de acordar el apoyo a la contratación de la tierra. Ahora que la contratación es una realidad, será muy difícil –quizá imposible- obtener certificados de uso de la tierra para los aldeanos. Los contratos son por 50 años y el Parque y el Ministerio de Agricultura y Desarrollo Rural (MARD) pueden responder bastante fácilmente a la crítica clausurando el tema hasta el 2050.

Sin embargo, una mirada minuciosa a los documentos y reglamentaciones legales indica que podría ser posible presionar en favor de derechos plenos al uso de la tierra. Esto necesitaría un muy fuerte esfuerzo de abogacía pues las leyes indican claramente que el uso especial de la tierra forestal (con excepción de las zonas de amortiguamiento) no incluye el uso con fines productivos.

Los principales documentos que guían el uso de la tierra forestal son la Ley de Tierras de 1993, el Decreto 02/CP de 1994 sobre adjudicación de tierras forestales, el Decreto 01/CP de 1995 sobre la contratación de tierra

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forestal y las directivas emitidas por el Ministerio de Agricultura y Desarrollo Rural sobre la implementación de los decretos 02/CP y 01/CP.

El principio fundamental que sustenta la actual política del gobierno es que toda la tierra debería tener un propietario/administrador, quien tiene el derecho a beneficiarse de la tierra y la responsabilidad de protegerla y usarla de acuerdo a las leyes del gobierno. Esto es el resultado de un largo período de esfuerzos fallidos para usar y manejar colectivamente la tierra.

El Decreto 02/CP de 1994 sobre adjudicación de tierra forestal establece que todas las organizaciones, familias e individuos son elegibles para la adjudicación de tierra forestal. Entre otros puntos relevantes se encuentran:

1. El uso de la tierra después de la adjudicación depende del tipo de bosque. Específicamente, los bosques reservados deberían ser adjudicados solamente para proteger el medio ambiente, los bosques para uso especial (como los parques nacionales) pueden ser adjudicados para proteger el medio ambiente, desarrollar modelos ecológicos o para experimentos científicos; y los bosques para la producción pueden ser adjudicados para obtener beneficios económicos (Artículo 2, Decreto 02).
2. La adjudicación por parte de las juntas administradoras de parques nacionales y reservas naturales tiene el objetivo de manejar y proteger estas áreas. En áreas donde los habitantes no pueden ser reasentados en otra parte, la junta administrativa debería entregar áreas forestales en contratación a familias para su protección. En áreas donde la tierra está siendo rehabilitada, las juntas administrativas pueden adjudicar contratos para que las familias cultiven y protejan el bosque. En tierras donde existen cultivos anuales, la junta administrativa tiene el derecho de adjudicar tierra a familias para la producción agrícola, siempre y cuando respeten las reglamentaciones legales existentes (Artículo 8, Decreto 02).

La contratación de bosques sigue una serie de reglas diferentes, tal como lo establece el Decreto 01/CP de 1995. La tierra agrícola, los bosques protegidos, los bosques y superficies acuáticas para uso especial pueden ser otorgados en contrato a organizaciones o individuos.

Mujeres dao de Ba Vi. Foto: TEW

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El contrato debería contener detalles específicos sobre aspectos financieros, los derechos y responsabilidades de ambas partes y un compromiso de respetar los términos del contrato. El contratante tiene el derecho de determinar el área de tierra contratada y los cultivos que plantará en la tierra. El contratante puede verificar y determinar si los términos del contrato son respetados y si ocurren violaciones, el beneficiario del contrato puede ser castigado o, presumiblemente, el contrato puede ser cancelado.

El beneficiario, si sigue el plan de uso de la tierra elaborado por el contratante, tiene el derecho de beneficiarse de su trabajo. Puede recolectar la cosecha de los árboles u otros cultivos en la tierra (presumiblemente dejando una pequeña porción para el propietario/administrador de la tierra, aunque esto no es tratado en el decreto).

El impacto de la adjudicación en vez de un contrato para las familias es obvio. Con la adjudicación, el agricultor puede vender, arrendar, transferir, heredar e hipotecar la tierra (recibir préstamos, por ejemplo). Estos derechos no existen en el caso del contrato.

Con los contratos, los aldeanos deben seguir un plan específico elaborado por el contratante. No tienen derecho a cambiar este plan y el contrato puede ser cancelado si no respetan todos los elementos acordados. Si se trasladan a otra área, pierden el contrato. En forma similar, si el agricultor que contrajo el contrato de la tierra muere o no puede trabajar la tierra, el contrato no pasa necesariamente al pariente más cercano (aunque en Ba Vi los contratos contienen los nombres del esposo y la esposa, una estipulación lograda por TEW).

Las leyes, tal como son descriptas en el Decreto 02 de 1994 sobre adjudicación de tierras forestales y el Decreto 01 de 1995 sobre contratación de bosques, indican claramente que el Parque Nacional Ba Vi siguió las reglas necesarias y no tiene ninguna obligación legal de adjudicar la tierra. Sin embargo, la tierra en cuestión, de 100 a 250 m. sobre el nivel del mar, está en la "zona de uso particular" del Parque, no en el área "estrictamente protegida". La zona de uso particular es un área de "rehabilitación" donde los planes del Parque incluyen la plantación de cultivos comerciales como pinos, té, jengibre, lychee y longan. Las directivas emitidas por el Ministerio de Agricultura y Desarrollo Rural sobre adjudicación forestal parecen indicar que este tipo de tierra puede ser adjudicada, no solamente otorgada en contrato. Las directivas establecen que:

En áreas de rehabilitación y servicio administrativo, no es necesario trasladar a los habitantes fuera de las mismas. El director del bosque para uso especial puede verificar los planes de uso de la tierra con la administración del distrito, para todo tipo de tierras agrícolas, tierras de residencia rural y ***tierras con uso cambiante ubicadas en áreas naturales que están registradas en proyectos de inversión***. Esto tiene el objetivo de que la administración del distrito adjudique la tierra a familias (incluyendo miembros familiares de parques nacionales y reservas naturales) que vivan en el área. (*énfasis agregado*)

Aunque algo vago, esto parece indicar que si la tierra en "zonas de uso particular" tiene un uso previo que no está basado en el bosque natural, entonces la tierra puede ser adjudicada con ese propósito. En Yen Son y Hop los aldeanos tienen contratos legales con PAM para plantar y cortar eucalipto. Esto convierte a la tierra en "tierra productiva", es decir, *tierra con uso cambiante ubicada en áreas naturales que están registradas en proyectos de inversión.* El Parque ha intentado argumentar que el eucalipto constituye tierra "forestal" y, por lo tanto, no puede ser talado. Pero la plantación de eucaliptos no es claramente un bosque de ningún tipo. Los agricultores han tratado de abogar por su caso frente al Ministerio de Agricultura y Desarrollo Rural en Hanoi, pero hasta ahora nadie ha dado un paso adelante para cuestionar la posición del Parque. TEW está explorando todavía sus opciones para trabajar con la comunidad, pero las ONGs externas sólo pueden jugar un pequeño papel en temas de adjudicación de tierras en Vietnam.

Roles y responsabilidades

Las tres partes principales del proceso de contratación de la tierra eran TEW, los aldeanos y el Parque Nacional Ba Vi. La administración del distrito y el Departamento Forestal Ha Tay también jugaron pequeños roles. TEW proveyó solamente los fondos iniciales para que el Parque realizara la contratación, así como también ayuda a los aldeanos. Esta ayuda consistió de una capacitación limitada en adjudicación de tierras mediante una reunión conducida por el personal de TEW, algunos pequeños fondos para equipamiento y viajes, y asesoramiento y apoyo para el contacto con las autoridades gubernamentales y los funcionarios del Parque. Después de que el Ministerio de Agricultura y Desarrollo Rural (MARD) se hizo cargo del programa en 1999, TEW ha sido retirada de la junta administrativa y no tiene ningún rol formal.

Como resultado, TEW no ha sido capaz de ayudar a resolver los muchos conflictos sobre la tierra forestal que han surgido en Ba Vi. Por ejemplo, muchos problemas provienen del proceso de cartografiado. El mapa trazado para esta ronda de contratación forestal fue muy similar al mapa originalmente trazado para la contratación del eucalipto. Sin embargo, ahora hay más familias en Yen Son, lo que hace necesario dividir algunas de las parcelas mayores para que las nuevas familias puedan recibir tierras.

El nuevo mapa fue trazado por el coordinador de TEW de la aldea, un representante del Parque Nacional Ba Vi y el director de la cooperativa responsable de la plantación de eucalipto. Ellos no discutieron el mapa con los aldeanos antes de presentarlo en una reunión en 1998.

El coordinador de TEW, Ley Van Trong, dice que alrededor del 30 por ciento de las familias estaban insatisfechas con las nuevas divisiones porque no querían parcelas menores y debido a que gran parte de la tierra contenía valioso bambúes – los cuales obviamente no

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querían perder. Algunos aldeanos rechazaron el mapa y dijeron que se negarían a firmar un contrato. Finalmente, se llegó a un acuerdo mediante el cual las nuevas familias tendrían que pagar por el bambú o el eucalipto que estaba en su tierra. Muchas familias han tenido que aceptar ahora que no tienen bases para argumentar, aunque algunas todavía no han aprobado el mapa – especialmente si las nuevas familias no tienen dinero para pagar por el bambú o el eucalipto.

En general, estos conflictos son desafortunados porque han distraído a los aldeanos de temas más serios, como la tierra adjudicada a la compañía turística Ao Vua. El Parque Nacional ha utilizado a los dao y a su estatus como grupo étnico minoritario para obtener dinero del gobierno que no ha sido invertido en la comunidad.

La actitud del Parque hacia los aldeanos siempre ha sido de arriba a abajo y no ha habido ningún esfuerzo para incorporar métodos participatorios en ningún tipo de trabajo realizado por el personal del Parque. Por ejemplo, el Parque intentó dividir la tierra mediante un sorteo, en vez de trazar un mapa organizado. Quizá esta idea fue presentada para evitar conflictos, pero parece más probable que el Parque sólo pensó que sería una forma más fácil de cumplir con la tarea de cartografiado. Por supuesto, los aldeanos rechazaron la idea porque ellos ya tenían contratos para parcelas específicas y estaban temerosos de perder el valioso eucalipto y el bambú de sus parcelas.

La mayoría de los aldeanos no jugaron ningún rol en el proceso de contratación de la tierra. Hubo cuatro reuniones importantes con la participación de los aldeanos. La primera fue organizada por TEW para introducir el proceso de adjudicación de tierra. Luego, los aldeanos dao y TEW se reunieron en el presidente adjunto del distrito de Ba Vi, Nguyen Ngoc Quang, el director del Parque Nacional, Kieu Quang Ngoc y el director del Departamento Forestal de la provincia de Ha Tay, Dang Dinh Phuc.

La tercera reunión fue entre los aldeanos, TEW y el Sr. Phuc. Finalmente, un grupo de siete aldeanos fue a Hanoi para reunirse con TEW y seguir su proceso para explicar su situación a varias oficinas del gobierno, incluyendo el Ministerio de Agricultura y Desarrollo Rural.

Muchos aldeanos participaron en las reuniones celebradas en Yen Son, pero debido a que no participaron en el proceso de cartografiado, hubieron muchos problemas y desacuerdos. Ahora, los aldeanos tienen una actitud muy pasiva y piensan que no pueden cambiar la actitud del Parque. Dicen que tendrán que seguir el plan del Parque aunque no estén de acuerdo con el mismo.

El Sr. Nhan, quien trabajó con TEW en el modelo de la huerta piloto, resume la actitud que tienen muchos aldeanos con respecto al proceso de contratación. Cuando se le preguntó sobre los diferente pasos pertinentes, lo descartó diciendo: *"No lo sé claramente – los funcionarios se ocupan de estas cosas"*. Las mujeres, en particular, tienen poco conocimiento de lo que está sucediendo con la tierra forestal y la mayoría no tiene idea de que sus nombres aparecerán en los contratos.

Mirando en retrospectiva, es muy poco lo que TEW podría haber hecho con respecto a los conflictos que surgieron durante el proceso. En el caso de la adjudicación de tierra forestal, el gobierno ha emitido directivas sobre cómo hacer que el proceso sea lo más participatorio posible. Si el programa hubiera implicado la adjudicación plena de tierras, TEW podría haber invocado estas directivas para aumentar el rol de los aldeanos. Tal como está, la contratación forestal se deja al propietario/administrador de la tierra y éste no tiene la responsabilidad de hacer que el proceso sea participatorio. En esta fecha tan tardía, está en manos de la aldea y el comité popular de la comuna resolver las disputas y no es probable que TEW pueda ayudar en esta cuestión.

Todavía se necesita una solución

Una serie de errores amenazan con destruir la comunidad dao de Ba Vi. Primero, se plantaron eucaliptos en vez de especies indígenas; segundo, el Parque Nacional y el Departamento de Tierras no han hecho nada por los dao; y tercero, CEMMA no ha intervenido para ayudar.

El Parque Nacional era la principal organización responsable de la contratación de la tierra y su comportamiento durante todo el proceso ha sido vertical e insensible a las necesidades de los aldeanos. Han habido muchos problemas con la administración del Parque y la capacidad de TEW para ayudar a los aldeanos se ha visto muy limitada debido al rol del Parque. La solución debe incluir el otorgamiento de los derechos a los recursos naturales a los mismos aldeanos dao. Esto hará que su cultura sea otra vez "legal" y la comunidad tendrá la oportunidad de prosperar.

Este artículo fue originalmente escrito para la primera edición de ***Existencia*** *(enero del 2001), el boletín del Centro para Estudios de Ecología Humana de las Tierras Altas (CHESH). Fue preparado con la ayuda del miembro voluntario del personal de TEW, Michael Gray, y está basado en parte en entrevistas con agricultores realizadas en abril del año 2000.*

Tran Thi Lanh *ha realizado investigaciones para su tesis doctoral desde 1992 sobre ecología humana entre los dao que viven en la zona de amortiguamiento del Parque Nacional Ba Vi. Lanh fundó y dirige a Towards Ethnic Women-TEW y al Centro para Estudios de Ecología Humana de las Tierras Altas. TEW ha actuado desde 1994 en el campo del desarrollo comunitario en las tierras altas, áreas de minorías étnicas. CHESH es una nueva organización que tiene como objetivo aumentar la cooperación entre los agricultores de las tierras altas y las ONGs de la región del Sudeste de Asia.*

Michael L. Gray *es un asistente de investigación en la organización "Towards Ethnic Women". Tiene una maestría en estudios del Sudeste Asiático de la Escuela para Estudios Orientales y Africanos de Londres. Michael ha trabajado en TEW desde marzo de 1999.* ❑

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BOSQUES, PUEBLOS Y POLÍTICAS EN LAS TIERRAS ALTAS CENTRALES DE VIETNAM

Por Brigitte Junker

Aldea de migrantes al borde de un bosque. Foto: Brigitte Junker

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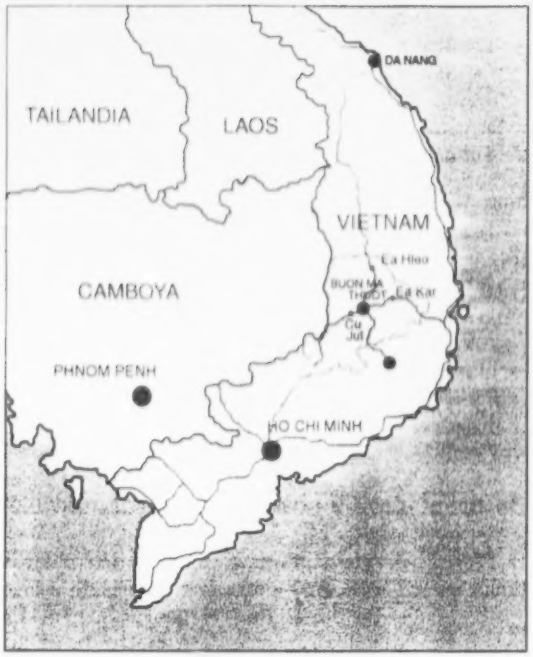

Madre ede y niños. Foto: Brigitte Junker

En la cima de una montaña, a pocos kilómetros fuera de la ciudad de Buon Ma Thout, la capital de la provincia de Daklak, hay un nuevo cementerio. Hay sólo unas pocas tumbas ahí ahora y los trabajadores están ocupados en preparar el terreno y preparar la ladera de la colina para tumbas adicionales. Algunas de las tumbas son budistas y los nombres en las lápidas son *kinh* (vietnamitas étnicos). La vista es fantástica desde allí arriba. En un día claro se puede ver a millas de distancia sobre la meseta, no hace mucho tiempo cubierta de bosques pero ahora remplazados por miles de hectáreas de cafetales y plantaciones de caucho. En una lápida *numb*[1] en otro cementerio en el norte de la provincia están grabadas las palabras siguientes inscriptas en caracteres chinos: *"Vine a plantar oro, todavía tengo que obtener el oro, pero al menos tengo un pedazo de tierra para enterrar mi cuerpo"*. Aquí, el oro se refiere al café el cual, en comparación con el cultivo tradicional del norte, el arroz, es mucho más valioso y muchos migrantes que vienen a Daklak tienen la esperanza de plantarlo. Sin embargo, antes de que uno pueda recoger las ganancias, hay que soportar frecuentemente muchos años de dificultades. Pero, al menos en comparación con las congestionadas tierras altas septentrionales, la tierra aquí todavía abunda relativamente.

Para los pueblos indígenas de Tay Nguyen[2] las montañas son las moradas de los espíritus. Sin embargo, hoy hay muchas demandas e intereses diferentes en las tierras altas de Vietnam. Las montañas y la tierra circundante han sido rápidamente apropiadas y transformadas por las políticas y programas del gobierno y por los migrantes que afluyen de todo el país. A pesar del control oficial del gobierno sobre todas las tierras boscosas, la deforestación avanza a un ritmo alarmante. Las razones de esto son muchas y variadas y no existen modelos o programas simples que puedan retrotraer fácilmente esta situación. Hasta muy recientemente, los pueblos indígenas eran principalmente culpados por la deforestación. Para muchos, los bosques todavía proveen tierra para la agricultura swidden de subsistencia pero estos bosques también sirven como una valiosa fuente de madera y productos forestales no-madereros, tanto para la subsistencia como para el uso comercial. Este artículo considera los cambios aparejados por la migración y especialmente por la deforestación en Tay Nguyen basándose en un trabajo de campo en la provincia de Daklak realizado en 1999. Describe, además, algunos de los programas y políticas que han sido trazados para contrarrestar esto. Finalmente, da una mirada a algunos de los efectos que todo esto ha tenido hoy sobre los pueblos indígenas, examinando aldeas *jarai* y *ede* en tres diferentes comunas de tres diferentes rincones de la provincia de Daklak.

Cambios demográficos debidos al reasentamiento y la migración espontánea

Daklak es la provincia más grande y de más rápido crecimiento de Vietnam, tanto económicamente como en

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términos de población. En 1976, la población de Daklak era de unas 360.000 personas. Hoy ha aumentado a más de 1,6 millones de personas. Aunque los grupos indígenas (ede, jarai y *mnong*) todavía constituyen la mayoría en algunas comunas, especialmente las más remotas, ahora constituyen la minoría de la población total de la Provincia de Daklak, la cual está dominada por los kinh. No hay ninguna información detallada disponible de la población indígena de Daklak por grupo étnico, pero cifras de 1995 muestran en Vietnam vive un total estimado de 287.627 jarai, 237.964 ede y 85.207 mnong (Nguyen Duy Thieu 1997: Anexo 1).

La primera ola importante de inmigrantes a Tao Nguyen fueron aproximadamente 58.000 católicos y *tay-nung* refugiados del norte, quienes vinieron al sur después de la división del país en 1954. Muchos de ellos se asentaron en Daklak y hoy viven en algunas de las más rentables plantaciones de café del país y son dueños de las mismas. Sin embargo, la inmigración a gran escala hacia el área recién comenzó después de la Reunificación en 1975 y fue casi exclusivamente organizada inicialmente a través de programas de reasentamiento del gobierno.

La migración espontánea de kinh de las costas y una gran cantidad de minorías étnicas de las tierras altas del norte (principalmente *tay, thai, nung* y en años recientes *hmong*) ganó rápidamente velocidad en la década de los 90 y quedó rápidamente fuera del control de las autoridades.

Los ede (también conocidos como *rhade*) son uno de los mayores y más influyentes grupos indígenas de las etnias minoritarias de las Tierras Altas Centrales. En Daklak, los ede constituyen la mayoría de la población indígena, seguidos por los jarai, quienes viven fundamentalmente en la provincia de Gialai y Ea Hleo, el distrito más septentrional de Daklak. Centrados en torno a la ciudad de Buon Ma Thuot, los ede entraron mucho en contacto con los franceses y luego con los americanos y vietnamitas. Muchos ede, especialmente aquellos ubicados cerca y en torno a Buon Ma Thuot, han recibido una educación de alto nivel y existe una serie de ede capacitados como maestros, profesores, funcionarios gubernamentales, etc. Además, muchos de los escritores de canciones populares vietnamitas provienen de las aldeas que rodean a Buon Ma Thuot (p. ej., Y Moan Enoul e Y Jack).

La lengua ede es de origen malayo-polinesio y es muy similar a la jarai del norte de la provincia (Distrito Ea Hleo) y de la Provincia de Jarai, pero es diferente de la mon-khmer de los mnong en la parte meridional de la provincia (especialmente en el Distrito Lak). La lengua ede es la más hablada y la más importante de la provincia después de la vietnamita.

A pesar de la homogeneidad cultural general, los ede están compuestos de varios grupos (o subgrupos). Estos son:

- Los *kpa* en la región de Buon Ma Thuot y en torno a la misma. Son considerados los más puros (*kpa* en ede significa correcto)
- Los *adham*
- Los *ktul* y
- Los *dlie rue*

Estas diferencias entre los subgrupos se han desvanecido al haber sido sometidos a muchas influencias disturbadoras, incluyendo la guerra, el reasentamiento, la inmigración y al matrimonio entre distintos grupos. Los límites geográficos, en particular, ya no son tan fáciles de trazar como en el pasado (de Hauteclocque-Howe 1987 [1985]: 18). Además, más tarde se encontró más fácil juntar a todos los grupos bajo una denominación –ede- y entonces, hoy, los grupos antes mencionados están olvidados en gran parte.[3] Los mnong y los jarai (los otros dos grupos indígenas de Daklak) sufrieron un proceso similar de homogeneización.

Deforestación y políticas gubernamentales

Dos tercios de Vietnam está compuesto de colinas y montañas. Hasta hace muy poco, la mayoría de estas zonas estaban cubiertas por algunos de los bosques más ricos y más diversos biológicamente de Asia. Desde 1954, el año en que Vietnam obtuvo la independencia de Francia, más de la mitad de los bosques naturales de Vietnam han sido destruidos. Los acontecimientos responsables de esto fueron la guerra, la aplicación de enormes cantidades de herbicidas químicos -como el Agente Naranja- usado por los americanos durante la guerra, la limpieza de los bosques por los explotadores madereros comerciales y la intensificación del cultivo de las tierras altas tanto por parte de los indígenas como de los agricultores migrantes. Aunque 19 millones de hectáreas, o sea el 28% de la superficie total de Vietnam, todavía están clasificadas como tierras forestales, menos de la mitad de esta área mantiene una cobertura arbórea substancial. Una importante porción está yerma o degradada y despojada de sus especies valiosas. La biodiversidad y el valor económico no sólo han sido reducidos sino que las importantes funciones de los ecosistemas –conservación del suelo y del agua- también han disminuido en gran medida.

Las presiones sobre la tierra y los restantes bosques de Vietnam son inmensas. El setenta y cinco por ciento de la población nacional depende de la agricultura y la silvicultura como su fuente de subsistencia. Sin embargo, como la densidad de población aumenta, esto se hace cada vez más difícil. Actualmente, la densidad de población general de Vietnam es de 230 personas por kilómetro cuadrado, mientras que en la Provincia de Daklak es de alrededor de 58 personas por kilómetro cuadrado. Además, el sector industrial, de rápido crecimiento de Vietnam, está también aumentando su demanda de tierras y recursos forestales. Es más, la liberalización económica ha facilitado la exportación de productos forestales, satisfaciendo, en parte, la siempre creciente demanda regional. Con estas presiones, el gobierno tiene como objetivo lograr

Nuevo campo de pimienta, listo para ser plantado. Foto: Brigitte Junker

que cada pulgada cuadrada de tierra sea lo más productiva posible y, por lo tanto, ha iniciado una serie de diferentes programas nacionales a gran escala con éste como uno de sus objetivos.

Antes de 1954, aunque el gobierno colonial francés reclamó legalmente la mayor parte de los bosques de las tierras altas, tenía muy poco control operacional sobre estos recursos a excepción de unas pocas áreas seleccionadas para empresas comerciales. Los pueblos indígenas que vivían en estas áreas manejaban los bosques de acuerdo a sus propias leyes consuetudinarias y estructuras de gobierno. Después de la independencia, el gobierno comunista comenzó a nacionalizar los bosques y, desde entonces, las políticas forestales de Vietnam han estado en constante proceso de transición. Por un lado, aunque las empresas estatales y el ejército luchan hoy para mantener sus privilegios sobre los recursos forestales, se tiene que encontrar formas de acomodar a los migrantes y, al mismo tiempo, respetar los derechos de los grupos étnicos indígenas. Por otro lado, las distintas opiniones sobre cómo se deberían proteger los bosques y cómo deberían ser usados sustentablemente y quién debería protegerlos también influyen estas políticas. Es muy debatido cuánta tierra y cuál tierra debería ser limpiada para la construcción de infraestructura (tal como el mejoramiento de la Autopista 14) y para la agricultura. Una cuestión que ejerce especialmente presión es qué tipos de cultivos deberían ser plantados. Aunque el arroz húmedo es el cultivo tradicional kinh y el café ha sido económicamente muy rentable, estos dos cultivos no son siempre necesariamente ideales para el área. Ambos requieren mucho trabajo y mucha agua, y el café, en particular, requiere el uso substancial de pesticidas químicos y fertilizantes.

A partir de 1968, la prioridad del gobierno para el desarrollo socioeconómico de las tierras altas reside en programas y políticas de sedentarización y reasentamiento para las minorías étnicas indígenas de estas áreas. El objetivo del Programa de Cultivos Fijos y Sedentarización (Dinh Canh Dinh Cu) fue sedentarizar a tres millones de personas para el año 2000, y así terminar con la *"destrucción de los bosques debido a la agricultura rotativa en las áreas de tierras altas"* (Le Duy Hang en Rambo et al. 1995: 66). Pero con este programa no se encontró la solución a la deforestación. En realidad, inicialmente, el programa era más un mecanismo para favorecer un cambio cultural y un estilo de vida más acorde con los de los kinh. Algunos elementos del estilo de vida de los montañeses (como la movilidad residencial, las grandes casas multi-familiares, las creencias y rituales religiosos y la organización social) eran percibidos como "toscos" y "atrasados" y solían justificar estos programas y políticas. Aunque ya no se lo considera fundamental, el programa continúa recibiendo una atención considerable al día de hoy.

No obstante, como el gobierno vietnamita reconoció cada vez más la importancia y la fragilidad del medio ambiente de las tierras altas y el peligro de la deforestación para las funciones hidrológicas de las vertientes y, consecuentemente, para el desarrollo económico y agrícola de las llanuras costeras y deltas de las tierras bajas, se hizo más urgente la necesidad de encontrar soluciones viables. La deforestación no estaba bajo control. En realidad, se estaba haciendo más complicado y más difícil encontrar las causas e identificar a los culpables[4]. La adjudicación de tierras de cultivo ya ha estado en marcha durante varios años, comenzando con un cambio general de la política del gobierno a comienzos de los años 80 y ganando impulso con el programa "Doi Moi" (Renovación) de liberalización económica. En sólo unos pocos años, hacia 1989, Vietnam había pasado de ser un importador a ser un exportador de arroz y las autoridades se preguntaban si la adjudicación de tierras forestales tendría el mismo efecto positivo. Por lo tanto, el gobierno comenzó a concentrar más sus esfuerzos en el desarrollo de la silvicultura en un importante sector de la economía, habilitando a la gente para cuidar los bosques y así beneficiarse de ellos, contribuyendo entonces al desarrollo socioeconómico de las tierras altas.

Los núcleos familiares están ocupando cada vez más el lugar de las empresas forestales estatales como las unidades básicas de manejo de los bosques en los nuevos planes y políticas que han surgido. Sin embargo, la focalización en los grupos familiares individuales está de acuerdo con las opiniones mayoritarias de los kinh pero contradice la organización social tradicional de muchas minorías étnicas, las cuales no se centran frecuentemente en grupos unifamiliares sino en grupos sociales más amplios, es decir, familias extendidas, linajes o clanes. Las experiencias negativas de las colectivas agrícolas de los años 60 y 70 dejaron la impresión de que los grupos comunitarios tenían poco interés o capacidad para cooperar en algo para el bien colectivo, en este caso en el manejo de un bosque. No obstante, la retórica oficial también está cambiando lentamente de tono entre varios funcionarios. Los pueblos indígenas ya no son considerados como el problema principal de la deforestación sino más bien como una posible parte de la solución. Dos programas nacionales ambiciosos de inversión pública juegan aquí

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Hombres del distrito de Cu Jut. Foto: Brigitte Junker

un papel central. Sin embargo, antes de introducirlos, es necesario primero hacer unas cuantas precisiones sobre las más importantes agencias estatales involucradas en el sector forestal.

Empresas Forestales Estatales

Las Empresas Forestales Estatales (SFE) eran, hasta hace poco, las administradoras y cuidadoras oficiales de los bosques de Vietnam y, consecuentemente, podían explotar los bosques como quisieran. Sin embargo, en años recientes, se les ha quitado este monopolio y con el mismo, muchos beneficios y privilegios. Hoy se espera que las SFEs sobrevivan en una economía de mercado o se hundan, lo cual de hecho es lo que está sucediendo a muchas de las actuales 400 SFEs (Warfvinge 1998, Sikor 2000).

Las SFEs que sobreviven están encargadas por el gobierno para realizar ciertos servicios forestales y rurales relacionados con el desarrollo, como la adjudicación de tierra forestal mediante el Programa 327 y el llamado Programa de las 5 Millones de Hectáreas[5]. Como son los propietarios de facto de los bosques, las SFEs tienen la capacidad de contratar la tierra asignada a las mismas a grupos familiares u organizaciones para su protección, reforestación u otros usos en base a un reparto de beneficios. Sin embargo, esto sólo puede ser logrado si la respectiva SFE renuncia a su demanda sobre la tierra. No obstante, esto no parece ser el caso en la práctica – o lo es sólo muy lentamente. Hacia fines de 1996, aproximadamente ¾ de las 6 millones de hectáreas de tierras forestales habían sido adjudicadas a organizaciones estatales y sólo 1/6 a las familias (Sikor 2000). Además, hacia fines de 1999, sólo una SFE en la provincia de Daklak había logrado comenzar la adjudicación de tierra forestal (bajo el nuevo programa) y solamente en una comuna. De las otras SFEs de la provincia, sólo una está cerca de implementar la adjudicación de tierras forestales (en el distrito Lak) (ibid.).

La eficiencia de las diversas SFEs en la protección de los bosques y en la implementación de programas difiere grandemente. Contrariamente al personal de la SFE Ea Hleo, el cual, con la ayuda de armas, motocicletas y vehículos de tracción en las cuatro ruedas, confisca eficientemente la madera cortada ilegalmente, armas y tractores, el personal de una remota estación forestal en Cu Jut observa la deforestación en torno suyo con impotencia. Puede que visiten el bosque una vez por semana, a pie, nunca arrestan a nadie y ni siquiera les hacen una advertencia y escriben solamente cortos informes sobre lo que han observado.

El gobierno sigue visualizando un rol prominente para el Estado en todos los sectores de la economía. Por lo tanto, las SFEs continuarán probablemente jugando un rol fundamental en el manejo de tierras forestales en el futuro. Actualmente, muchas están todavía muy comprometidas en la explotación forestal pero, en la medida en que la adjudicación de tierras forestales continúe, ellas se ocuparán cada vez más de cumplir con un rol de coordinación y administración. Cómo logran coordinar y colaborar con los núcleos familiares locales, comunidades o grupos de usuarios contratados para ocuparse de las actividades de protección y producción será algo central para el desarrollo socioeconómico de las tierras altas y de las comunidades indígenas en particular.

El Programa 327

Lanzado en 1993, el Decreto 327 tenía como objetivo mejorar la productividad económica de las tierras improductivas[6] en todo el país y protegerlas de una degradación mayor. El programa proveyó fondos considerables para la plantación y protección de tierras forestales, huertos frutales y plantaciones de cultivos industriales, pero también para mejoras infraestructurales y actividades de adjudicación de tierras. En los proyectos implementados por el programa, las familias recibirían tierra contra certificados de uso de la tierra o por una remuneración anual de 30.000 a 50.000 VND por hectárea,[7] y fueron contratadas para manejar tierras, es decir, protegerlas contra la invasión y contra los incendios forestales. Las familias seleccionadas eran de agricultores migrantes y de minorías étnicas que serían consecuentemente alentados, se creía, a intensificar su agricultura, es decir, abandonar la agricultura rotativa y sedentarizarse.

Se presupuestaron US$ 68 millones en el primer año y hasta ahora han sido invertidos aproximadamente 3 trillones VND (US$ 230 millones). Sin embargo, rápidamente surgieron dificultades y el programa fue suspendido. La más obvia e importante desventaja del programa era el alto costo, no factible para el gobierno. Muchas familias dejaron de recibir pagos uno o dos años después de que les fueron adjudicadas tierras forestales para proteger. Además, el incentivo económico para proteger el bosque era insignificante en comparación con los beneficios y el ingreso que una familia podía recibir del uso del bosque (Bartels 1999). Además, la tierra forestal no fue distribuida equitativamente. Mientras que algunas de las familias más privilegiadas e informadas amasaron tenencias en gran escala, otras fueron dejadas sin nada o fueron forzadas a proveer fuerza de trabajo.

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El Programa de Reforestación de 5 Millones de Hectáreas

En 1998, el Programa 327 fue subsumido en un programa forestal incluso más ambicioso, el llamado programa de las 5 millones de hectáreas. Este programa tiene como objetivo establecer 5 millones de hectáreas adicionales de bosque durante el período 1998-2000 y proteger al mismo tiempo los bosques existentes. Si los objetivos de este programa son cumplidos, Vietnam alcanzará el mismo grado de cobertura forestal a fines de la próxima década que la que tenía en el momento de la independencia – o sea del actual 28% al 43%. Además, el programa también apunta a asegurar un suministro anual de materias primas para papel, leña y madera, satisfaciendo las necesidades nacionales y dejando un excedente para la exportación.

Bajo este programa, las familias ya no son pagadas por proteger el bosque sino que se les adjudica tierra forestal para el manejo sustentable de la cual pueden beneficiarse a largo plazo. Dependiendo de la calidad de la tierra forestal adjudicada, las familias pueden obtener productos forestales y pueden así derivar más ingresos de los que podrían lograr de los pagos hechos mediante el Programa 327. Se supone que las familias recibirán la tenencia segura de tierras y árboles, reconocida por otra gente y que puede ser protegida de la usurpación, disminuyendo así los conflictos por la tierra. La tierra será distribuida equitativamente dentro de una aldea o comunidad y entre diferentes grupos (hombres/mujeres, ricos/pobres, kinh/minoría étnica, etc.).

Aunque este nuevo programa suena promisorio, hay que considerar con cautela los programas a gran escala como el 327 y el nuevo programa de 5 millones de hectáreas. Después de establecer tantos objetivos ambiciosos, generalmente se presta una atención insuficiente a las realidades en el campo. ¿Están los aldeanos incluso interesados en participar en el programa y entienden completamente sus derechos y privilegios? El hecho de que las tierras a ser usadas para reforestación son, al mismo tiempo, tierras de las cuales las familias de las áreas montañosas dependen, y han dependido, para la producción agrícola, está en conflicto con la estrategia nacional designada (Sikor 2000). La prioridad que se otorga a tales programas nacionales a gran escala conducidos por la política arriesga absorber casi toda la capacidad disponible para prepararlos e implementarlos. Entonces, como sucede frecuentemente, en vez de otorgarles apoyo para encontrar soluciones a nivel local, los funcionarios gubernamentales a nivel local se ven confrontados con el cumplimiento y adaptación de estos programas. Como consecuencia, existe una tendencia para que el enfoque sea de arriba-a-abajo, especialmente en aldeas donde hay poca, o ninguna, comprensión del programa o pocos incentivos para participar. Las ONGs y otros proyectos de desarrollo ayudan a los distritos y a las SFEs a desarrollar enfoques participatorios de planificación del uso y adjudicación de la tierra en un intento de contrarrestar este problema.

Dinero y deforestación como consecuencia del café y de la pimienta

Las vastas zonas de tierra y los fértiles suelos basálticos del sur de Tay Nguyen hacen que la meseta de la provincia Daklak, en particular, sea ideal para la producción agrícola. El café, la pimienta, el caucho[8] y el tradicional arroz húmedo de las tierras bajas crecen bien en tierras una vez cubiertas por bosques. Los agricultores migrantes kinh son los más exitosos, mientras que los indígenas jarai, ede y mnong, especialmente aquellos que viven en áreas remotas, quedan atrás.

El rápido aumento del cultivo del café en los pasados veinte años ha sido fenomenal y Vietnam se ha movido hacia los primeros puestos de exportadores de café[9] de variedad "robusta". Más del 50% del café vietnamita es cultivado en la provincia de Daklak. Las ganancias de una cosecha pueden proveer a un agricultor incluso de una pequeña plantación con suficiente dinero rápido para comprar artículos de lujo (modelo más nuevo de motocicleta, televisión) o para construir una casa de cemento, para lo cual otros necesitan años de ahorros. Sin embargo, el café no es una panacea sino más bien un cultivo muy exigente, requiriendo una gran cantidad de trabajo intenso, fertilizantes, pesticidas y agua. Hay una serie de agricultores de café ede exitosos en y en torno a la ciudad de Buon Ma Thuot. Sin embargo, todavía hay más que han vendido su tierra a migrantes o que no tienen los recursos o el conocimiento que demanda el café. En las aldeas se encuentran muchas plantas de cafés descuidadas. Estas plantas fueron probablemente dadas a los aldeanos por algún programa gubernamental que no incluyó la necesaria guía o ayuda, o a los aldeanos se les agotaron los recursos antes de que las plantas llegaran a la madurez. Además, el alto valor del café también lo ha hecho susceptible al robo. Entonces, durante el período de cosecha, las plantas necesitan ser vigiladas y los granos son frecuentemente arrancados antes de que estén completamente maduros.

La pimienta ha crecido en popularidad en años recientes y brinda una alternativa o suplemento al café. Aunque la pimienta es cultivada más frecuentemente en las huertas en torno a cada casa y no en tierras forestales ilegalmente taladas, los bosques de Tay Nguyen están sufriendo por el aumento del cultivo de este producto. Actualmente, la estructura de soporte más común para la planta de pimienta en Daklak es un tronco de árbol cortado del bosque[10]. Aunque existen alternativas para estos troncos de árboles, tal como columnas de ladrillo o árboles vivos, los troncos de los árboles son todavía relativamente fáciles de conseguir y son baratos (si no gratis) y, por lo tanto, continuarán estando a disposición y serán usados. Igual que con el café, muchos indígenas no tienen los recursos o el conocimiento necesarios para cultivar adecuadamente la pimienta.

El gobierno vietnamita quiere que los grupos indígenas abandonen las prácticas agrícolas "atrasadas" y alienta el cultivo de alternativas más modernas de culti-

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vos comerciales. Sin embargo, tanto el café como la pimienta están conectados con la deforestación de la provincia y el café, particularmente, agrega una tensión adicional sobre los recursos acuíferos. El arroz en cáscara, preferido por los kinh, tampoco es adecuado para el cultivo en la mayor parte de las áreas de la provincia. Encontrar soluciones a este respecto ha probado ser bastante difícil.

La situación actual de las comunidades indígenas: una breve mirada a tres comunas

La calidad de vida de las comunidades indígenas varía de aldea en aldea. La experiencia pasada con el gobierno, las guerras, los franceses y los americanos, el nivel de educación y las creencias religiosas, etc., hoy pueden ser una ventaja o una desventaja. Por ejemplo, incluso con un creciente número de kinh étnicos que retornan al budismo o al cristianismo, la religión sigue siendo un tópico muy sensible en las tierras altas. Los católicos y los animistas son tolerados hasta un cierto punto pero los protestantes tienen que mantener sus prácticas religiosas virtualmente ocultas. A pesar de las restricciones, el protestantismo está atrayendo a un creciente número de seguidores, especialmente entre los ede.

A continuación, el impacto de recientes desarrollos y la política forestal del gobierno sobre los pueblos indígenas de Tay Nguyen serán ilustrados a través de una breve mirada a la actual situación de aldeas jarai en una remota comuna del distrito de Ea Hleo y de aldeas ede en las también remotas comunas de los distritos de Cu Jut y Ea Kar. En las comunas de Cu Jut y Ea Kar, los ede constituyen alrededor del 5% de la población, mientras que en la comuna de Ea Sol del distrito de Ea Hleo, los indígenas jarai y ede constituyen hasta el 36% y el 27% respectivamente.[11]

La proximidad de Cu Jut a Buon Ma Thuot y las favorables condiciones del suelo la han convertido en un área objetivo para los migrantes. Algunas de las consecuencias de esta inmigración fuera de control han sido serias disputas de tierras (que frecuentemente no terminan en favor de los ede locales) y la deforestación[12]. En 1988, los pantanosos llanos de Cu Jut estaban todavía cubiertos por densos bosques y todavía se podía ver tigres. Desde entonces, aparte de algunos bosques dipterocarpos degradados y en rápida desaparición, el área entera ha sido prácticamente despojada de árboles y, por lo tanto, se ha convertido en inhabitable para la fauna. Además, los ede del distrito de Cu Jut han sido controlados bastante severamente en sus movimientos. En 1960, los aldeanos de las más remotas comunas fueron forzados a trasladarse a aldeas estratégicas cerca de la Autopista 14 y no se les permitió retornar hasta 1988. La presencia militar en el área ha sido, y sigue siendo, bastante fuerte. Por un lado, esto se debe a la proximidad del distrito con la frontera con Camboya y, por otro lado, debido a las actividades de FULRO y sus seguidores en el área[13]. Aunque FULRO ya

no está activo ni es una amenaza para el estado, se rumorea que todavía existen vestigios del mismo.

El consenso entre los aldeanos ede de Cu Jut es que ellos no están interesados en la participación en los programas de adjudicación de bosques. El Programa 327 no ha funcionado bien en el área. En parte debido a que la deforestación ya estaba fuera de control, los VND 30-50.000 ya no era un incentivo suficiente par los aldeanos. Sin embargo, en realidad se tiene la clara impresión de que la mayoría desearía tener que ver lo menos posible con el gobierno. Se siente una actitud escapista especialmente entre los hombres y mujeres ede más ancianos. Algunos se han distanciado incluso físicamente de sus aldeas, estableciendo nuevos campos cerca del bosque. Pero incluso allí afuera, frecuentemente no están a salvo de las fuerzas de las que intentan escapar. Un hombre que visité se quejó de que la noche anterior uno de sus perros había sido robado y que la gente seguía tomándole sus cultivos, incluso sus bananas (no consideradas muy valiosas en Vietnam). En el pasado, los campos estaban ubicados en torno a la aldea en pequeños grupos de tres o cuatro. Hoy en día, en muchas áreas como en Cu Jut, ya no es así. Una familia ya no está rodeada por otros ede de su aldea sino por extraños (migrantes kinh o minorías étnicas del norte). Además de ser percibidos como una amenaza, estos extraños hacen cosas que los ede no entienden. Por ejemplo, el mismo hombre ede me relató que sus nuevos vecinos kinh cortan los árboles a lo largo del arroyo que divide sus tierras. En pocos días, ya se podían notar los efectos negativos de este acto sobre el arroyo.

Los efectos del Agente Naranja todavía pueden ser vistos en Ea Kar y gran parte del paisaje sigue hendido por cráteres de bombas. Pero afortunadamente, esta topografía montañosa (hasta 1.000 metros de altura) todavía está mayormente cubierta de bosques. Durante la estación de lluvias, cuando los ríos inundan los desvencijados puentes, las aldeas remotas quedan aun más aisladas. Entones es imposible llegar a estas aldeas por automóvil o tractor y las mercaderías tienen que ser transportadas por botes. En realidad, los aldeanos y el Comité Popular de las

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Vista desde el cementerio kinh sobre la meseta cercana a Buon Ma Thout City. Foto: Brigitte Junker

comunas están de acuerdo en que su mayor problema es la condición de los caminos. La inmigración no es considerada fuera de control y tampoco la deforestación es un problema obvio.

Muchos de los aldeanos ede de Ea Kar han tenido bastante éxito con las plantaciones de arroz. Aunque el arroz húmedo se está haciendo cada vez más importante y toma la mayor parte de su tiempo, ellos todavía siguen cultivando el arroz de montaña. Sin embargo, como no se les permite (por el SFE) limpiar el bosque para nuevos campos, tienen que limpiar tierras de pastura. Además, estos campos no pueden ser dejados en barbecho durante mucho tiempo. Pero incluso con las bajas cosechas resultantes, los aldeanos siguen invirtiendo en el cultivo de arroz de montaña. Esto es parcialmente porque el arroz de montaña es necesario para ciertos rituales y para producir un vino de arroz adecuado. Además, de acuerdo al jefe tradicional de la aldea, tampoco quieren perder estas variedades de arroz de montaña.

El retrato de Ho Chi Minh se encuentra colgado en muchas casas en Ea Kar y su postura pro-gubernamental es sorprendente en comparación con los aldeanos en Cu Jut o Ea Hleo, quienes siguen siendo más neutrales. Varios aldeanos combatieron junto con los comunistas y sus aldeas fueron declaradas "aldeas heroicas" después de la guerra. Los aldeanos también alegan ser ateos pero las creencias animistas persisten, especialmente en las viejas generaciones, así como también una serie de rituales y ceremonias tradicionales.

El Programa 327 funcionó bien en las aldeas ede de Ea Kar. Sin embargo, los aldeanos no conocen todas las reglas y reglamentos y, en particular, no comprenden los beneficios que pueden recibir del nuevo programa de adjudicación de bosques, sin recibir el dinero que ganaron durante el 327. Aparentemente, la Empresa Forestal no se esforzó mucho en explicar el programa, un fenómeno también atestiguado en otros distritos. Distribuyó meramente un formulario a ser llenado en el cual se tenía que declarar la cantidad y tipo de bosque que cada cabeza de familia quería que se le adjudicara. No obstante, como sólo el 20% o 30% de los aldeanos sabía leer, ellos llenaron simplemente el formulario de la misma forma que lo hizo la persona antes que ellos. Entonces, en áreas donde no parece haber tantos problemas y la vida aldeana parece idílica, todavía existe un problema de falta de comunicación entre la comuna o distrito y la aldea. Y la poca comunicación que existe es usualmente muy de arriba-a-abajo.

Aunque la composición de la población en las comunas remotas de Ea Hleo (como en la comuna Ea Sol, en este caso) es más favorable para los indígenas ede y especialmente para los jarai, ellos no se han salvado de la inmigración y la deforestación. La deforestación para obtener los postes para las plantas de pimienta es problemática (tal como se describió anteriormente) y la inmigración es generalmente una preocupación en las áreas de suelos basálticos. Las aldeas ubicadas en áreas arenosas y, por lo tanto, menos fértiles experimentan poca o ninguna invasión de tierras.

Uno de los más efectivos métodos tradicionales para proteger el bosque en Ea Sol parecen ser las creencias locales o leyendas relativas a ciertas áreas forestales (*Kleyang*) donde residen los espíritus (*yang*) o donde hay rocas u otras características del paisaje que tienen atributos misteriosos. Estas leyendas declaran una cierta área como tabú y no se puede entrar o cazar en la misma. Si son creídos, los tabúes (reglas) son obedecidos y como consecuencia el bosque es protegido. Aunque estas reglas ya no se siguen tan estrictamente, muchos jarai locales todavía creen en ellas, así como también muchos migrantes kinh. Ea Hleo es uno de los pocos lugares donde todavía restan bosques sagrados y parece que la deforestación ocurre en ciertos bosques sagrados o áreas montañosas por parte de personas externas o emigrantes recién llegados, que todavía no están conscientes de las creencias locales.

En febrero del año 2000, la tierra forestal estaba siendo adjudicada a las familias en una sola comuna de la provincia de Daklak – en el distrito de Ea Hleo, por la Empresa Forestal Estatal de Ea Hleo (Sikor 2000). Sin embargo, se observó una falta de comunicación entre aquellas personas a cargo de adjudicar la tierra y los aldeanos a los cuales se las adjudicaba. Muchos aldeanos

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no comprendían el programa o los beneficios que podrían recibir y tenían muchos recelos sobre el programa, creyendo que era otro Programa 327. En Ea Hleo, la demanda para la inclusión en el programa fue también mucho mayor que las parcelas planeadas de tierra forestal a ser adjudicadas. A aquellos aldeanos que no fueron incluidos se les dijo que serían considerados en la próxima fase del programa (ibid.). Eso queda por verse.

El futuro

"El trabajo y la vida son más duros hoy en día", me dijeron mujeres de una aldea en Ea Hleo. Aunque hay más medicinas disponibles, también hay más enfermedades y muchos no se sienten tan fuertes como en el pasado. Las comunidades indígenas de Tay Nguyn han atravesado muchos cambios dramáticos en el pasado y se pueden esperar más en el futuro. Muchos no están equipados para la adaptación a las nuevas circunstancias, o no están interesados en la misma, y son entonces marginados, mientras que otros parecen lograr adaptarse bastante bien. Sin embargo, en cualquier lado que se mire se ven también resistencias al cambio.

La mayoría de los aldeanos indígenas no puede imaginar un mundo sin bosques. Un jefe aldeano me dijo, *"si no hay bosques, no habrá animales salvajes, no habrá lluvias y hará mucho calor"*. Tal como es la situación, los aldeanos han notado que hace más calor y los vientos son más fuertes desde que la cobertura boscosa ha disminuido. Es claro entonces que el bosque y la agricultura rotativa siguen siendo importantes para la mayoría de los indígenas, especialmente en las áreas remotas. Para algunos es esencial para la subsistencia, mientras que otros tienen sus propias razones para seguir resistiéndose. Sin embargo, en el transcurso de los años, las minorías étnicas han perdido acceso a las tierras y a los bosques. En algunas áreas restan sólo pedazos de tierra para unos pocos espíritus.

Pero no sólo los pueblos indígenas, sino también muchos de los migrantes que afluyen a la provincia desde todo el país dependen en gran medida de los bosques para su subsistencia. Y el gobierno tiene sus propios intereses, por un lado en un uso más productivo y comercial del bosque y, por el otro, en la conservación de las vertientes de las montañas. Sin embargo, la adjudicación de tierras forestales no debería ser considerada principalmente como una forma de reforestar tierra desnuda. También se debe prestar atención a cualquier interés adicional que la gente pueda tener en las tierras y bosques.

Para la protección y regeneración de los bosques restantes de Vietnam y para un manejo efectivo y sustentable en el futuro, se deben juntar, escuchar y acomodar las agendas de los interesados. También es esencial que el gobierno gane la confianza del pueblo – confianza en que los esfuerzos invertidos en las nuevas políticas y programas del gobierno serán recompensados. Estos programas y políticas deben encontrar un equilibrio entre la protección del medio ambiente y asegurar el bienestar humano. Los derechos de los pueblos indígenas, en particular, no reconocidos durante largo tiempo, deben ser otorgados. Las políticas forestales del pasado han tendido a ignorar y descartar la capacidad del pueblo y especialmente de las minorías étnicas para proteger y manejar los bosques. Sin embargo, para salvar los bosques restantes y brindar a todos los pueblos de Tay Nguyen un futuro que puedan contemplar con esperanza se les debe dar ahora el poder y el incentivo para hacerlo.

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Notas

1 Las minorías étnicas nung de las tierras altas septentrionales que han migrado a la provincia de Daklak en años recientes usan comúnmente la escritura "han" para las prácticas religiosas y tradicionales. Un amigo que encontró estas tumbas durante su trabajo de campo en el área me contó sobre las mismas.

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[4] Tay Nguyen significa Meseta Occidental en vietnamita, incluye las provincias Lam Long, Daklak, Kontum y Gialai. En inglés se le refiere más comúnmente como las Tierras Altas Centrales.

[5] Los *bih* y *mdhur* son también considerados como subgrupos *ede*, aunque no lo eran en el pasado (ibid.: 22)

[6] La diversificación y el incremento de la población complicaron la imagen sociocultural de las Tierras Altas Centrales. Además, se reconoció cada vez más que los pueblos indígenas podían ser culpados solamente en un menor grado por la deforestación. Tampoco es fácil culpar o detener al ejército o a los madereros comerciales, de quienes también se beneficia el gobierno.

[7] Esto no carece de ventajas. Como se mencionó antes, si estos programas son organizados adecuadamente, presentan una fuente adicional de ingreso para las SFEs.

[8] Las tierras improductivas incluyen a montañas rocosas, laderas empinadas de montañas que han sido degradadas por la interferencia humana, como la agricultura rotativa o la extracción maderera y regiones de colinas con pasto alto, arbustos o chaparrales y pasturas.

[9] Estos emolumentos pueden variar dependiendo de las llamadas cuotas de administración que diferentes oficinas logran obtener. Para las SFEs a cargo, estos programas son una fuente de ingreso adicional, ya sea por la participación directa en la implementación del proyecto o por cobrar una cuota de administración. En 1999, VND 14.000 = US$ 1.-

[10] El caucho es un cultivo de plantación y es raramente plantado en forma privada. Sin embargo, con la caída de los precios del caucho en años recientes, las plantaciones de caucho están siendo reemplazadas por café.

[11] Vietnam es el sexto exportador de café del mundo y el segundo de Asia, después de Indonesia.

[12] Como estos troncos tienen que sobrevivir a la planta de pimienta, necesitan ser de larga duración y duros y, por lo tanto, variedades de árboles valiosas y cada vez más escasas.

[13] Estas comunas tienen una población de entre 7.000 y 10.000 personas, siendo Cu Jut la más poblada y Ea Hleo la menos poblada.

[14] Sin embargo, debe mencionarse que la deforestación no puede ser atribuida solamente a los migrantes. El ejército ha admitido su fracaso en proteger más de 1.000 hectáreas de tierras forestales que recibió en 1991.

[15] El movimiento de resistencia conocido por el acrónimo francés traducido como el Frente Unido para la Liberación de las Razas Oprimidas.

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PAPUA OCCIDENTAL: BAÑO DE SANGRE EN WAMENA

De acuerdo a estimaciones oficiales, al menos 30 colonos indonesios e indígenas *dani* perecieron durante los tres días de disturbios después de que la policía arrió las banderas pro-independentistas en el pueblo de Wamena, Papua Occidental, el pasado 6 de octubre. Durante gran parte del primer año de la presidencia de Abdurrahman Wahid, el primer presidente electo democráticamente en Indonesia, las fuerzas de seguridad habían hecho caso omiso de los izamientos de banderas, por lo que la sangrienta represión en Wamena tomó a los observadores locales y extranjeros por sorpresa. El violento ataque contra un símbolo fundamental del nacionalismo de Papua Occidental ha infligido un severo golpe al proceso de diálogo entre Yakarta y la dirección política del pueblo de Papua Occidental que comenzó después de la caída de Soeharto y ganó nueva fuerza con la ascensión a la presidencia de Abdurrahman Wahid. La violencia que siguió a la provocación de las fuerzas de seguridad está sirviendo ahora como pretexto para revertir las políticas de tolerancia adoptadas por el presidente Wahid y para envilecer al movimiento de Papua Occidental junto con el cual comenzó la búsqueda de una solución política para los problemas de la obstinada provincia. Como la población de otros distritos de Papua Occidental se niega a aceptar la prohibición de izar su bandera, se esperan más derramamientos de sangre. IWGIA ha brindado un inmediato apoyo a los esfuerzos para investigar los fatídicos eventos de Wamena.

Por Danilo y Zainab Geiger

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Foto: Danilo Geiger

Poco antes de las siete de la mañana del viernes 6 de octubre, fueron movilizadas unidades de la policía antidisturbios, armadas con rifles de asalto, para desmantelar una serie de puestos en esa ciudad, ocupados por patrullas vecinales (las llamadas "*Satgas Papua*") que han surgido en toda Papua Occidental durante los dos años pasados. Las tropas tenían órdenes de retirar las banderas que lucían la estrella de la mañana (*bintang kejora* en indonesio), el emblema que simboliza la esperanza de la liberación del régimen indonesio que muchos *papuanos* anhelan. Las tropas lograron arriar las banderas y las cortaron en pedazos en cinco lugares, pero cuando intentaron hacer lo mismo en la sexta localidad en el centro de la ciudad, fueron enfrentados por cientos de papuanos enfurecidos y, para ese entonces, armados quienes estaban determinados a defender la bandera que estaba flameando cerca del viejo mercado de la ciudad. A continuación, la policía comenzó a disparar contra la multitud, matando a dos hombres e hiriendo a varios otros. Debido a su armamento enormemente superior –los papuanos estaban invariablemente armados con arcos y flechas, lanzas o machetes- las tropas lograron rápidamente retomar el control sobre el centro de la ciudad.

Hacia el mediodía, la policía y el ejército ya estaban realizando operativos en los barrios, rastrillando la ciudad en busca de personas sospechosas de ser simpatizantes del movimiento independentista. Tal como IWGIA pudo atestiguar directamente en el lugar, los papuanos encontrados en las calles fueron arbitrariamente maniatados, golpeados con las culatas de los rifles o pateados en el costado mientras que se los registraba en busca de armas punzantes. Algunos de ellos fueron rodeados y llevados en camiones, probablemente para ser interrogados, o para algo peor. Durante toda la tarde y el anochecer se podían escuchar disparos desde áreas fuera de la ciudad, indicando que el ejército y la policía trataban de restringir el ingreso de enfurecidos indígenas a Wamena, atacando las aldeas exteriores a lo largo de los caminos que conducían al sur y al norte del valle Baliem. Estas operaciones deben haber producido mucho más bajas del lado dani, ninguna de las cuales han sido informadas hasta ahora por las autoridades.

Se dio mucha publicidad a las víctimas de la ira de los papuanos. Todas las personas no-papuanas cuyas muertes han sido confirmadas hasta ahora eran civiles que se convirtieron en el objetivo de los actos de venganza por parte de los dani. Mientras que los papuanos se enfrentaron a una violencia indiscriminada de parte de las fuerzas de seguridad, la población inmigrante en su conjunto se vio identificada con los opresores de uniforme y se le hizo pagar caro por eso. Entre el 6, 7 y 8 de octubre al menos 24 colonos de Java, Sumatra y sur de Sulawesi fueron muertos por los dani, a cuchilladas o quemados vivos junto con sus casas, en las partes de la ciudad ubicadas fuera de los operativos del ejército y la policía. Entre 4 y 5.000 inmigrantes huyeron del valle por avión mediante un puente aéreo establecido apresuradamente por el ejército indonesio, antes de que las autoridades cerraran el aeropuerto para detener el éxodo.

A pesar de que todavía está pendiente una investigación imparcial del baño de sangre, la suma oficial de muertes de la "tragedia de Wamena", tal como fue repetida por los medios de difusión indonesios, alcanza hasta ahora –de acuerdo a la fuente- de 31 a 41 muertos de los cuales se estima que una de cada tres víctimas es un papuano asesinado por las fuerzas de seguridad. El lado papuano cita 58 decesos. Alrededor de 45 personas, en su mayoría papuanos, fueron heridos de gravedad y docenas de casas fueron destruidas totalmente. A comienzos de noviembre, todas las escuelas del valle seguían cerradas y las instituciones médicas de Wamena abandonadas por los médicos y enfermeras carecían, según los informes, de los suministros más básicos. Según informes de prensa, el área está inundada de policías y tropas de refuerzo que tienen la orden de arrestar a los "instigadores" locales de la violencia e imponer la prohibición de izar la bandera.

Como las noticias de los disturbios se propagaron rápidamente y la policía y el ejército dieron plazo a la dirección papuana hasta el 19 de octubre para arriar las

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restantes banderas en otros distritos, apenas se pudieron evitar otros choques violentos en otras partes. En Tiom, en la parte norte del Valle de Baliem, miembros del Consejo del Presidio Papuano, un organismo de toma de decisiones establecido durante una importante reunión de papuanos a fines del pasado mes de mayo del 2000, lograron evitar una crisis de toma de rehenes después de que los habitantes locales habían amenazado con matar a 65 residentes no-papuanos si la policía se atrevía a imponer la prohibición a la bandera. En Jayapura y Sentani, donde los papuanos desafiaron decididamente las órdenes de arriar las últimas banderas restantes de la estrella de la mañana, la población inmigrante, temerosa de los inminentes enfrentamientos, buscó refugio en instalaciones militares y policiales. En el gran distrito meridional de Merauke, la población es desafiante en tal grado que, por el momento, las autoridades han detenido la purga de símbolos nacionales "separatistas".

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El significado político del baño de sangre de Wamena no puede ser subestimado ya que significa nada menos que el fin del proceso de diálogo entre el movimiento papuano y Yakarta, en el cual se habían embarcado después del derrocamiento de Suharto en mayo de 1998. Aunque los dos lados admitían estar lejos de alcanzar un acuerdo sobre el contencioso tema del futuro estatus de Papua Occidental dentro (o fuera) de Indonesia, el presidente Wahid abrió un nuevo terreno cuando el 1 de enero del 2000 declaró que Yakarta ya no insistía en usar la odiada designación de "Irian Jaya" para la provincia ("Glorioso Irian", evocando la campaña de la época de Sukarno para arrebatar a Papua Occidental de manos de los holandeses), llamándola en cambio "Papua Occidental" (un término puesto fuera de la ley durante el régimen de Suharto). Recién después de la intervención de la plana mayor de las fuerzas de seguridad Wahid pudo ser disuadido de efectuar el discurso de apertura en el histórico 2º Congreso Papuano que tuvo lugar a mitad de año en Jayapura pero declaró su disposición a conversar con la organización separatista OPM ("Movimiento por Papua Libre"). En la cuestión del izamiento de banderas, asumió una postura notablemente distendida cuando el pasado mes de junio emitió una declaración oficial que permitía a los papuanos occidentales izar su bandera, siempre y cuando fuera algo menor de tamaño y colgara más baja que la bandera indonesia junto con la cual tenía que ser izada.

No obstante, el ejército nunca se sintió muy a gusto con el enfoque conciliatorio de Wahid, considerando incluso esas concesiones menores como una invitación a los papuanos a la secesión del estado indonesio. Alrededor de mediados de año, la presencia de tropas había aumentado en la provincia y se ordenó a la policía investigar los cargos de traición y secesionismo levantados contra el núcleo de los organizadores del Congreso Papuano. Funcionarios gubernamentales de alto rango de la endeble colación de Wahid hicieron declaraciones públicas alertando sobre el peligro de la desintegración si los "separatistas" papuanos seguían siendo "mimados" por el presidente. El pasado 23 de septiembre, la Vicepresidente Megawati Sukarnoputri, quien está a cargo oficialmente del problema de Papua Occidental, emitió órdenes al comandante de la policía nacional para que retirara todas las banderas separatistas. A esto siguió una serie de ultimátums, cuya legitimidad fue cuestionada por la dirección papuana sobre la base de que contradecían la política declarada por el presidente a comienzos de año. La policía y el ejército se aprovecharon finalmente del hecho de que el presidente no estaba disponible durante largo tiempo para realizar comentarios debido a sus frecuentes viajes al extranjero. La acción policial en Wamena fue realizada en un momento en que los miembros del Consejo del Presidio Papuano trataban desesperadamente de convencer a las autoridades para que extendieran la fecha final para el retiro de las banderas para así evitar la violencia. Es, por lo tanto, irónico que los funcionarios policiales ahora acusen a la dirección papuana y a sus "simpatizantes armados" del derramamiento de sangre en Wamena. La verdad es que la cúpula encargada de la seguridad ha esperado durante largo tiempo una oportunidad para subvertir el acercamiento entre las fuerzas moderadas del gobierno, agrupadas en torno al presidente, y el movimiento por la autodeterminación de Papua Occidental, de amplia base popular. Un ataque sobre el sensible símbolo de la bandera de la estrella de la mañana era la forma más segura de originar los disturbios que más tarde justificarían a los policías actuar con mano de hierro, lo cual era la característica del régimen durante la era de Suharto. Mediante el ataque a las flameantes banderas de Wamena, la policía y el ejército han revertido las cosas al principio, otrora honrado, de erradicar los símbolos del descontento en las regiones truculentas de Indonesia sin encarar los problemas básicos subyacentes.

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Menos de una semana después de los choques de Wamena, IWGIA se comprometió a financiar una investigación imparcial del baño de sangre, a ser conducida por un equipo de investigadores y abogados con el encargo de investigar los rastros de las posibles atrocidades policiales durante las operaciones en el Baliem y brindar asistencia legal a los líderes papuanos acusados con cargos de sedición. Es de esperar que los resultados de esta misión destacarán el hecho de que la policía y el ejército estaban completamente dispuestos a arriesgar las vidas de inocentes civiles cuando golpearon el 6 de octubre. No obstante, mientras que este artículo va a imprenta, todavía no queda claro si el equipo ha logrado obtener los permisos necesarios de las autoridades.

Danilo Geiger *es antropólogo, profesor de la Universidad de Zurich. Trabaja para IWGIA sobre asuntos relativos a Indonesia y estuvo, junto con su esposa, en el valle Baliem en un viaje de contacto de redes de trabajo cuando sucedieron los enfrentamientos de Wamena. Actualmente está preparando su trabajo de Doctorado sobre violencia étnica en Kalimantan Occidental, Indonesia.*

Inab Geiger *ha trabajado durante varios años con organizaciones ambientalistas y de derechos humanos en Kalimantan Oriental, Indonesia. Ella trabaja ocasionalmente para IWGIA con temas y proyectos referentes a Indonesia.* ❑

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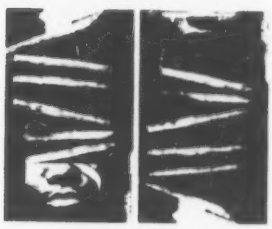

LOS PUEBLOS INDÍGENAS

Editado por Jens Dahl y Alejandro Parellada

Las Naciones Unidas denominaron hace algunos años a 1993 como el año de los pueblos indígenas. La ONU determinó también que el decenio que va de 1995 a 2005 fuera el decenio de los pueblos indígenas de todo el mundo. Pero quiénes son los pueblos indígenas? Por qué nos interesan? Y cómo se deferencian los pueblos indígenas de otros pueblos? Este libro trata de responder interrogantes como estos.

La mayoría de nosotros nos sentimos seguramente nativos – peruanos o argentinos, por ejemplo. Podemos ser al mismo tiempo nativos peruanos o argentinos o nativos de Lima o Buenos Aires. Sin embargo, ni los peruanos ni los argentinos son pueblos indígenas en el sentido en que este concepto se utiliza. p.ej., en las Naciones Unidas; los asháninka y los mapuche, por el contrario, son pueblos indígenas dentro del Estado peruano y argentino.

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La edición del informe anual de IWGIA cuenta con la contribución de investigadores y activistas indígenas y no indígenas

- ofrece un panorama de la situación actual y los momentos cruciales de los pueblos indígenas de las Américas, África, Asia, el Ártico y el Pacífico, acontecidos en 1999 y principios de 2000, poniendo especial atención en la mujer indígena.
- presenta informes del Grupo de Trabajo de las Naciones Unidas sobre la Declaración de los Derechos de los Pueblos Indígenas y sobre el proceso del establecimiento del Foro Permanente de los pueblos indígenas en el sistema de las Naciones Unidas.

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